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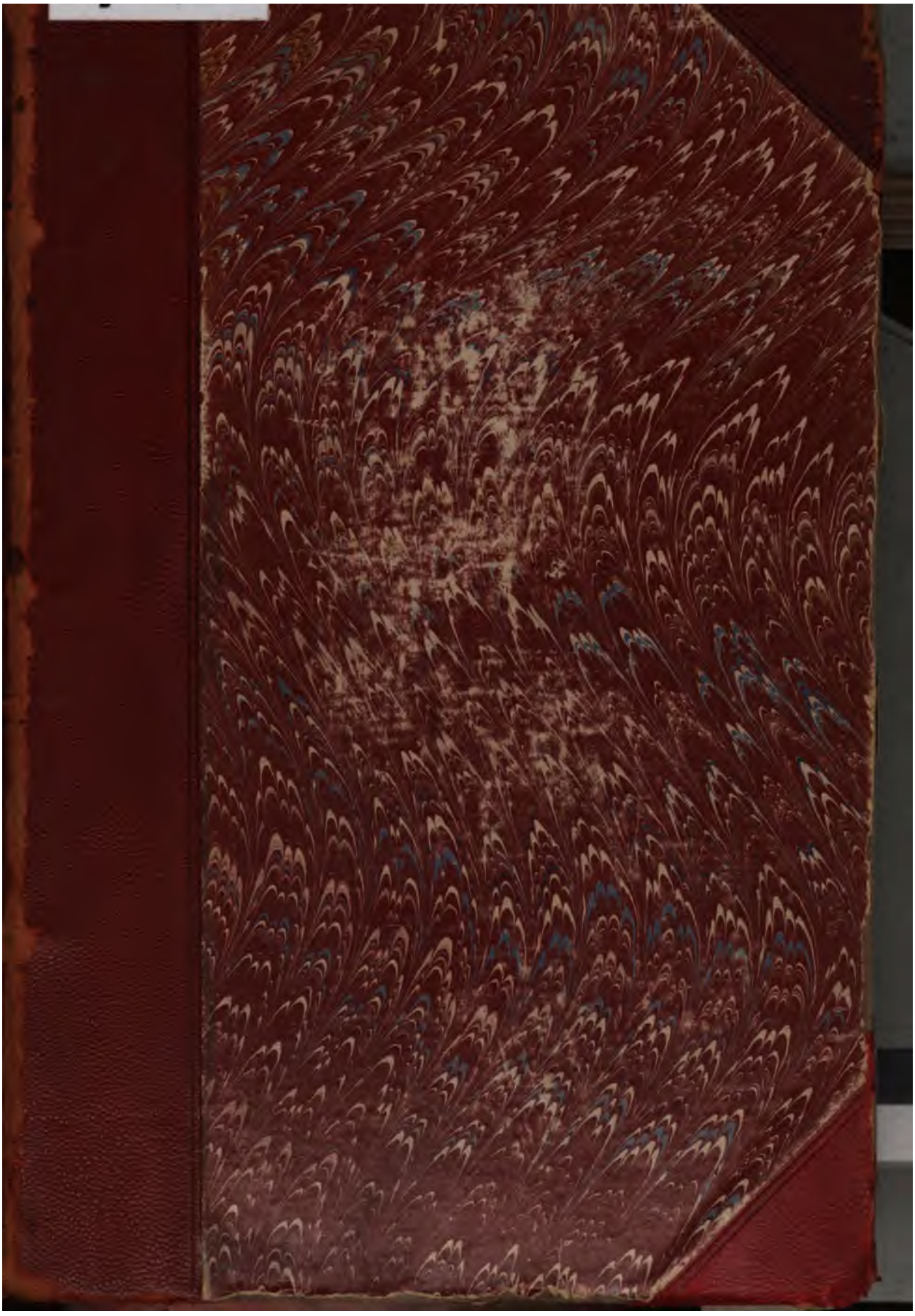

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VOL. V.

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THE WORKS

OF

ALEXANDER HAMILTON;

COMPRISING

HIS CORRESPONDENCE,

AND

HIS POLITICAL AND OFFICIAL WRITINGS,

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EDITED BY

JOHN C. HAMILTON,

AUTHOR OF "THE LIFE OF HAMILTON."

VOL. V.

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CABINET PAPERS.

SECRETARY OF STATE TO MIFFLIN.

Draft by Hamilton.

PHILADELPHIA, August 7th, 1794.

SIR:

The President of the United States has directed me to acknowledge the receipt of your letter of the 5th instant, and to communicate to you the following reply:

In requesting an interview with you on the subject of the recent disturbances in the western parts of Pennsylvania, the President, besides the desire of manifesting a respectful attention to the chief magistrate of a State immediately affected, was influenced by the hopes that a free conference, guided by a united and comprehensive view of the Constitutions of the United States and of Pennsylvania, and of the respective institutions, authorities, rights, and duties of the two governments, would have assisted him in forming more precise ideas of the nature of the *co-operation* which could be established between them, and a better judgment of the plan which it might be advisable for him to pursue, in the execution of his trust in so important and delicate a conjuncture. This having been his object, it is matter of some regret, that the course which has been suggested by you, as proper to be pursued, seems to have contemplated Pennsylvania in

a light too separate and unconnected. The propriety of that course, in most, if not in all respects, would be susceptible of little question if there were no federal government, federal laws, federal judiciary, or federal officers; if important laws of the United States, by a series of violent, as well as of artful expedients, had not been frustrated in their execution for more than three years; if officers immediately charged with that execution, after suffering much and repeated insult, abuse, personal ill-treatment, and the destruction of property, had not been compelled for safety to fly the places of their residences, and the scenes of their official duties; if the service of the processes of a court of the United States had not been resisted; the marshal of the district made and detained for some time a prisoner, and compelled for safety also to abandon the performance of his duty, and return by a circuitous route to the seat of government; if, in fine, a judge of the United States had not in due form of law notified to the President, "that in the counties of Washington and Alleghany, in Pennsylvania, laws of the United States are opposed, and the execution thereof obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshal of that district." It is true, your excellency has remarked, that in the plan suggested you have only spoken as the executive magistrate of Pennsylvania, charged with a general superintendence and care, that the laws of the commonwealth be fully executed, leaving it implicitly to the judgment of the President to choose, on such evidence as he approves, the measures for discharging the analogous trust which is confided to him in relation to the laws of the Union. But it is impossible not to think that the current of the observations in your letter, especially as to the consequences which may result from the employment of coercive measures, previous to the preliminary course which is indicated in it, may be construed to imply a virtual disapprobation of that plan of conduct, on the part of the general government, in the actual stage of its affairs, which you acknowledge would be proper on the part of the government of Pennsylvania, if arrived at a similar stage. Let it be assumed here (to be more particularly shown

hereafter), that the government of the United States is now at that point, where it is admitted, if the government of Pennsylvania was, the employment of force by its authority would be justifiable; and let the following extracts be consulted for the truth of the inference which has been just expressed. "Will not the resort to force, inflame and cement the existing opposition? Will it not associate in a common resistance those who have hitherto peaceably, as well as those who have riotously, expressed their abhorrence of the excise? Will it not collect and combine every latent principle of discontent, arising from the supposed oppressive operations of the federal judiciary, the obstruction of the western navigation, and a variety of other local sources? May not the magnitude of the opposition on the part of the ill-disposed, or the dissatisfaction of a *premature resort to arms* on the part of the well-disposed citizens of the State, eventually involve the necessity of employing the militia of other States? And the accumulation of discontent which the jealousy engendered by that movement may produce, who can calculate, or who will be able to avert?"

These important questions naturally give birth to the following serious reflections. The issues of human affairs are in the hands of Providence. Those intrusted with them in society, have no other sure guide than the sincere and faithful discharge of their duty, according to the best of their judgments. In emergencies, great and difficult, not to act with an energy proportioned to their magnitude and pressure, is as dangerous as any other conceivable course. In the present case, not to exert the means which the laws prescribe for effectuating their own execution, would be to sacrifice those laws, and with them the Constitution, the Government, the principles of social order, and the bulwarks of private right and security. What worse can happen from the exertion of these means?

If, as cannot be doubted, the great body of the citizens of the United States are attached to the Constitution, which they have established for the management of their common concerns—if they are resolved to support their own authority in that of the constitutional laws, against disorderly and violent combinations

of comparatively small portions of the community—if they are determined to protect each other in the enjoyment of security to person and property—if they are decided to preserve the character of republican government, by evincing that it has adequate resources for maintaining the public order—if they are persuaded that their safety and their welfare are materially connected with the preservation of the Union, and consequently of a government adequate to its exigencies; in fine, if they are disposed to continue that state of respectability and prosperity which is now deservedly the admiration of mankind—the enterprise to be accomplished, should a resort to force prove inevitable, though disagreeable and painful, cannot be arduous or alarming.

If, in addition to these dispositions in the community at large, the officers of the governments of the respective States, feeling it to be not only a patriotic but a constitutional duty (inculcated by the oath enjoined upon all the officers of a State, legislative, executive, and judicial), to support in their several stations the Constitution of the United States, shall be disposed, as occasion may require (a thing as little to be doubted as the former), with sincerity and good faith to co-operate with the government of the United States, to second with all their influence and weight its legal and necessary measures, by a legal and substantial concert, then the enterprise to be accomplished can hardly even be deemed difficult.

But if, contrary to the anticipations which are entertained of these favorable dispositions, the great body of the people should be found indifferent to the preservation of the government of the Union, or insensible to the necessity of vigorous exertions to repel the danger which threatens their most important interests, or, if an unwillingness to encounter partial inconveniences, should interfere with the discharge of what they owe to their permanent welfare;—or if, either yielding to the suggestions of particular prejudices, or misled by the arts which may be employed to infuse jealousy and discontent, they should suffer their zeal for the support of public order to be relaxed by an unfavorable opinion of the merits and tendency of the measures which may be adopted; if above all it were possible that any of the State gov-

ernments should, instead of prompting the exertions of the citizens, assist directly or indirectly in damping their ardor by giving a wrong bias to their judgment—or by disseminating dissatisfaction with the proceedings of the general government—or should counteract the success of those proceedings by any sinister influence whatever—then, indeed, no one can calculate, or may be able to avert the fatal evils with which such a state of things would be pregnant. Then, indeed, the foundations of our political happiness may be deeply shaken, if not altogether overturned.

The President, however, can suppose none of these things. He cherishes an unqualified confidence in the virtue and good sense of the people, in the integrity and patriotism of the officers of the State governments, and he counts absolutely on the same affectionate support, which he has experienced upon all former occasions, and which he is conscious that the goodness of his intentions now, not less than heretofore, merits.

It has been promised to show more particularly hereafter, that the government of the United States is now at that point where, it is confessed, if the State government was, the employment of force on its part would be justifiable. This promise remains to be fulfilled.

The facts already noted establish the conclusion; but to render it palpable, it will be of use to apply them to the positions which your excellency has been pleased to lay down.

You admit, that as the offences committed respect the State, the military power of the government ought to be employed, when its judiciary authority, after a fair experiment, had proved incompetent to enforce obedience or to punish infractions of the law; that if the strength and audacity of a lawless combination shall baffle and destroy the efforts of the judiciary authority, to recover a penalty or inflict a punishment, that authority may constitutionally claim the auxiliary intervention of the military power—that in the last resort, at the requisition and as an auxiliary of the civil authority, the military force of the State would be called forth. And you declare that the circumstances of the case evidently require a firm and energetic conduct on the part, both of the State and General Government.

For more than three years, as already observed, certain laws of the United States have been obstructed in their execution by disorderly combinations. Not only officers, whose immediate duty it was to carry them into effect, have suffered violent personal outrage and injury, and destruction of property, at different times, but similar persecution has been extended to private citizens, who have aided, countenanced, or only complied with the laws. The violences committed have been so frequent, and such in their degree as to have been matters of general notoriety and alarm—and it may be added that they have been abundantly within the knowledge and under the notice of the judges and magistrates of Pennsylvania, of superior as well as inferior jurisdiction. If in particular instances they have been punished by the exertions of the magistrates, it is at least certain that their efforts have been in the main ineffectual. The spirit has continued, and, with some intervals of relaxation, has been progressive, manifesting itself in reiterated excesses. The judiciary authority of the United States has also, prior to the attempt which preceded the late crisis, made some fruitless efforts. Under a former marshal, an officer sent to execute process was deterred from it by the manifest danger of proceeding. These particulars serve to explain the extent, obstinacy and inveteracy of the evil.

But the facts which immediately decide the complexion of the existing crisis are these: Numerous delinquencies existed with regard to a compliance with the laws laying duties on spirits distilled within the United States and upon stills. An armed banditti, in disguise, had recently gone to the house of an officer of the revenue, in the night, attacked it, broken open the doors, and, by menaces of instant death, enforced by pistols presented at him, had compelled a surrender of his commission and books of office. Cotemporary acts of violence had been perpetrated in other quarters. Processes issued out of a court of the United States, to recover the penalties incident to a non-compliance with the laws, and to bring to punishment the violent infractors of them, in the above mentioned case, against two of whom indictments had been found. The marshal of the dis-

trict went in person to execute these processes. In the course of his duty he was actually fired upon, on the high road, by a body of armed men. Shortly after, other bodies of armed men (in the last instance amounting to several hundred persons) repeatedly attacked the house of the inspector of the revenue, with the declared intention of compelling him to renounce his office, and of obstructing the execution of the laws. One of these bodies of armed men made prisoner the marshal of the district, put him in jeopardy of his life, and did not release him till, for safety and to obtain his liberty, he engaged to forbear the further execution of the processes with which he was charged. In consequence of further requisitions and menaces of the insurgents, the marshal, together with the inspector of the revenue, have been since under the necessity of flying, secretly and by a circuitous route, from the scene of these transactions, towards the seat of government. An associate justice, pursuant to the provisions of the laws for that purpose, has, in the manner already stated, officially notified the President of the existence of combinations, in two of the counties of this State, to obstruct the execution of the laws, too powerful to be suppressed by the judiciary authority, or by the powers of the marshal.

Thus, then, is it unequivocally and in due form ascertained, in reference to the government of the United States, that the judiciary authority, after a fair and full experiment, has proved incompetent to enforce obedience to, or to punish infractions of, the laws; that the strength and audacity of certain lawless combinations have baffled and destroyed the efforts of the judiciary authority to recover penalties or inflict punishment; and that this authority, by a regular notification of this state of things, has, in the last resort, as an auxiliary of the civil authority, claimed the intervention of the military power of the United States. It results, from these facts, that the case exists when—according to the positions advanced by your excellency, in reference to the State government—when the military power may, with due regard to all the requisite cautions, be rightfully interposed; and that the interposition of this power is called for, not

only by principles of a firm and energetic conduct on the part of the general government, but by the indispensable duty which the Constitution and the laws prescribe to the Executive of the United States. In this conclusion, your excellency's discernment, on mature reflection, cannot, it is presumed, fail to acquiesce; nor can it refuse its concurrence in the opinion which the President entertains, that he may reasonably expect, when called for, the zealous co-operation of the militia of Pennsylvania; that as citizens, friends to law and order, they may comply with the call, without any thing that can properly be denominated "a passive obedience to the mandates of government;" and that, as freemen, judging rightly of the cause and nature of the service proposed to them, they will feel themselves under the most sacred of obligations to accept and to perform it with alacrity. The theory of our political institutions knows no difference between the obligations of our citizens, in such a case, whether it relate to the government of this Union or of a State; and it is hoped and confided, that a difference will be as little known to their affections or opinions.

Your excellency, it is also presumed, will as little doubt, on the like mature reflection, that in such a case the President could not, without an abdication of the undoubted rights and authorities of the United States, and of his duty, postpone the measures for which the laws of the United States provide, to a previous experiment of the plan, which is delineated in your letter.

The people of the United States have established a government for the management of their general interests; they have instituted executive organs for administering that government; and their representatives have established the rules by which these organs are to act. When their authority in that of their government is attacked, by lawless combinations of the citizens of part of a State, they could never be expected to approve that the care of vindicating their authority, of enforcing their laws, should be transferred from the officers of their own government to those of a State, and this to wait the issue of a process so undeterminate in its duration as that which it is proposed to pur-

sue; comprehending a further and full experiment of the judiciary authority of the State, a proclamation "to declare the sentiments of its government, announce a determination to prosecute and punish offenders, and to exhort the citizens at large to pursue a peaceable and patriotic conduct;" the sending of commissioners "to address those who have embarked in the present combinations upon the lawless nature and ruinous tendency of their proceedings; to inculcate the necessity of an immediate return to the duty which they owe their country; and to promise, as far as the State is concerned, forgiveness of their past transactions, upon receiving a satisfactory assurance that, in future, they will submit to the laws;" and, finally, a call of the legislature of Pennsylvania, "that the ultimate means of subduing the spirit of insurrection, and of restoring tranquillity and order, may be prescribed by their wisdom and authority."

If there were no other objection to a transfer of this kind, the very important difference which is supposed to exist in the nature and consequences of the offences that have been committed, in the contemplation of the laws of the United States and those of Pennsylvania, would alone be a very serious obstacle. The paramount considerations which forbid an acquiescence in this course of proceeding, render it unnecessary to discuss the probability of its success; else it might have been proper to test the considerations which have been mentioned as a ground of hope, by the inquiry, what was the precise extent of the success of past experiments, and especially whether the execution of the revenue laws of Pennsylvania within the scene in question was truly and effectually accomplished by them, or whether they did not rather terminate in a tacit compromise, by which appearances only were saved?

You are already, sir, advised that the President, yielding to the impressions which have been stated, has determined to take measures for calling forth the militia; and that these measures contemplate the assembling of a body of between twelve and thirteen thousand men, from Pennsylvania and the neighboring States of Virginia, Maryland, and New Jersey. The recourse thus early to the militia of the neighboring States, prevails from a probability

of the insufficiency of that of Pennsylvania alone to accomplish the object; your excellency having, in your conference with the President, confirmed the conclusion which was deducible from the known local and other circumstances of the State, by the frank and express declaration which you made of your conviction of that insufficiency in reference to the number which could be expected to be drawn forth for the purpose.

But, while the President has conceived himself to be under an indispensable obligation to prepare for that eventual resort, he has still consulted the sentiment of regret which he expressed to you, at the possible necessity of an appeal to arms; and to avert it, if practicable, as well as to manifest his attention to the principle, that "a firm and energetic conduct does not preclude the exercise of a prudent and humane policy," he has (as you have been also advised) concluded upon the measure of sending himself commissioners to the discontented counties, to make one more experiment of a conciliatory appeal to the reason, virtue and patriotism of their inhabitants; and has also signified to you how agreeable would be to him your co-operation in the same expedient, which you have been pleased to afford. It can scarcely be requisite to add, that there is nothing he has more at heart than that the issue of this experiment, by establishing the authority of the laws, may preclude the always calamitous necessity of an appeal to arms. It would plant a thorn in the remainder of his path through life, to have been obliged to employ force against fellow-citizens, for giving solidity and permanency to blessings which it has been his greatest happiness to co-operate with them in procuring for a much-loved country.

The President receives with much pleasure the assurance you have repeated to him, that whatever requisition he may make, whatever duty he may impose, in pursuance of his constitutional and legal powers, will, on your part, be promptly undertaken and faithfully discharged; and acknowledging, as an earnest of this, and even more, the measures of co-operation which you are pursuing, he assures you, in return, that he relies fully on the most cordial aid and support from you in every way which the Constitutions of the United States and of Pennsylvania shall authorize, and present or future exigencies may require.

And he requests that you will construe, with a reference to this assurance of his confidence, whatever remarks may have been made in the course of this reply to your letter, if it shall have happened that any of them have erred from a misconception of the sentiments and views which you may have meant to communicate.

With perfect respect and esteem, I have the honer to be, &c.,

EDMUND RANDOLPH,

Secretary of State.

HAMILTON TO WASHINGTON.

August 12, 1794.

The Secretary of the Treasury presents his respects to the President, and sends him two letters which were received last night from Pittsburgh.

Would it not be advisable to put the garrison of Fort Franklin in the power of Major Butler, so that if he deems it advisable he may draw a part of it to his aid?

An attack from the Indians appears at present improbable, and an attack from the insurgents probable enough.

The bearer of the letters waits orders to return. Will the President suggest any thing?

WASHINGTON TO HAMILTON.

GERMANTOWN, August 12, 1794.

To the Secretary of the Treasury (acting for the Secretary of War).

Your letter of the 12th did not get to my hands until my return from Philadelphia about an hour ago.

The letters from Majors Butler and Baif, make it necessary in my opinion, to vest discretionary orders with the former, to

reinforce the garrison at Pittsburgh with as many men from Fort Franklin, as can be drawn from it without hazarding that post too much; provided the hazard (on account of the insurgents) may not be too great for the proposed advantage of the measure.

I sent you through the Secretary of State, two letters (of the 14th and 16th ult.) with inclosures from Gov. Blount, which you will consider and report on.

GEO. WASHINGTON.

HAMILTON TO CRAIG.

PHILADELPHIA, August 13, 1794.

SIR:

In consequence of an arrangement of the Secretary of War, who is absent, your letter of the 3d instant has been communicated to me. It is satisfactory to receive exact intelligence of the movements of the insurgents. Your care of the interest confided to you is in every event depended upon according to circumstances. The keeping the arms and stores out of the hands of the insurgents, is a matter of great importance. *It is hoped that you will personally, in the worst issue of things, find safety in the fort.* The friends of government may depend that it will not be wanting to its duty and interest upon this occasion. And can there be any doubt of the sufficiency of its means?

With much esteem, I am, &c.,

ALEXANDER HAMILTON,

For the Secretary at War.

JAY TO HAMILTON.

LONDON, 16th August, 1794.

DEAR SIR:

I am happy to find, by a New-York paper, that the result of the late inquiry into your official conduct, is perfectly consistent

with the expectations of your friends. It is there represented as being voluminous, and in a variety of respects interesting. Be so good as to send me a copy. I wrote to you lately a confidential letter, under cover to the President; my dispatches to Mr. Randolph, were under the same cover. I presumed that, if the vessel should be examined by some rude privateer, more respect would be paid to a letter directed to the President, than to others.

Nothing very important has since occurred; things are in a train that looks promising; but the issue is of course uncertain. The resolutions from Kentucky and North Carolina are here, and make disagreeable impressions. Incivilities as often produce resentment as injuries do.

Affairs in Europe wear a serious aspect. The French continue successful, and the English decided. It is thought the Dutch will resign to their fate without very strenuous opposition. Geneva is undergoing another revolution. News of Robespierre's violent death has arrived, and gains credit. If true, the importance of it to France or the allies cannot yet be calculated.

Events have hitherto been more common than influential.

Yours sincerely.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, Aug. 16, 1794.

SIR:

It appears probable that advantages will result from giving to the citizens at large information on the subject of the disturbances which exist in the western part of Pennsylvania.

With this view, if no objection to the measure should occur to you, I would cause a publication to be made of the report which I had the honor to address to you, dated the 5th instant.

With the most perfect respect, &c.

HAMILTON TO WASHINGTON.

PHILADELPHIA, Aug. 18, 1794.

The Secretary of the Treasury submits to the President the draft of a letter on the subject of the proscribed privateers. Would it not be advisable to communicate the matter to the French Minister, and to request his co-operation in causing our ports to be no longer affronted by those vessels?

HAMILTON TO WASHINGTON.

August 21, 1794.

The Secretary of the Treasury presents his respects to the President. The letter written to the President on the 16th, respecting the publication of the report of the 5th, was written at the Secretary of State's office, where Mr. H. expected a copy of it had been taken previous to its delivery. But when Mr. H. sent to inquire for a copy, in order to the publication of it, he found none had been taken; which, it being then too late to obtain a copy in time from the President, left him the dilemma, either of suffering the report to go out without the letters, or to draft one as a substitute for that which had been sent. The latter appeared to him to be most likely to be agreeable to the President, and he drew one accordingly, a copy of which appears in Dunlap's paper of to-day, corresponding with the inclosed original, which the President will find perfectly the same in substance with the former.

Another circumstance may require explanation. The letters follow, instead of preceding the report. This happened from the report having been immediately sent, to promote dispatch, and the President's answer not having been received till the day following, so that it went to the printer too late for insertion in the first instance without too great a derangement of his types.

WASHINGTON TO HAMILTON.

GERMANTOWN, August 21, 1794.

SIR:

To your note of this date, in behalf of the Department of War, asking my opinion or direction respecting the advisableness of sending, in the existing circumstances of the western counties of Pennsylvania, two months' pay to the army under the immediate orders of General Wayne, I answer, that under my present impressions the measure had better be delayed, at least until the commissioners, who were sent into those counties, make their report. It certainly would, from all the information that has been received from that quarter, be too hazardous to send a sum of money by the way of Pittsburgh, through counties that are in open rebellion; and besides, the circuitousness of the route through what is called the Wilderness, and the length of time required to send it by a messenger that way, there would be, in my opinion, no small risk in the attempt. But as I shall be in the city to-morrow, I will converse with you on the subject.

I am, &c.

HAMILTON TO CRAIG.

WAR DEPARTMENT, Aug. 25, 1794.

SIR:

Your letter of the 17th instant to the Secretary of War has been received and duly attended to.

The suggestions respecting additional measures of defence have been considered; but the danger of the means falling into the hands of the insurgents appears at present an objection.

It is hoped that every thing at Pittsburgh, or which shall come there, not necessary to the post itself, has been forwarded down the river, and will continue to be so, as long and as fast as

it can be done with safety. The friends of government at Pittsburgh ought to rally their confidence, and if necessary, manifest it by acts. They cannot surely doubt the power of the United States to uphold the authority of the laws; and they may be assured, that the necessity of doing it, towards preserving the very existence of government, so directly attacked, will dictate and produce a most vigorous and persevering effort, in which the known good sense and love of order of the quiet body of the people, and all the information hitherto received of their sentiments and feelings with regard to the present emergency, authorize a full expectation of their hearty co-operation.

SECRETARY OF STATE TO MIFFLIN.

Draft by Hamilton.

PHILADELPHIA, August 30th, 1794.

SIR:

I am directed by the President to acknowledge the receipt on the 17th of your excellency's letter, dated the 12th instant.

The President feels with you the force of the motives which render undesirable an extension of correspondence on the subject in question. But the case being truly one of great importance and delicacy, these motives must yield in a degree to the propriety and utility of giving precision to every part of the transaction, and guarding effectually against ultimate misapprehension.

To this end it is deemed advisable, in the first place, to state some facts, which either do not appear, or are conceived not to have assumed an accurate shape in your excellency's letter. They are these:

1. You were informed at the conference that all the information which had been received had been laid before an associate justice, in order that he might consider and determine whether such a case as is contemplated by the second section of the act,

which provides for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions, had occurred; that is, whether combinations existed too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshal by that act; in which case the President is authorized to call forth the militia to suppress the combinations and to cause the laws to be duly executed.

2. The idea of a preliminary proceeding by you was pointed to an eventual co-operation with the Executive of the United States, in such plan as, upon mature deliberation, should be deemed advisable, in conformity with the laws of the Union. The inquiry was particularly directed towards the possibility of some previous accessory step in relation to the militia, to expedite the calling them forth if an acceleration should be judged expedient and proper, and if any delay on the score of evidence should attend the notification from a judge, which the laws make the condition of the power of the President to require the aid of the militia, and turned more especially upon the point whether the law of Pennsylvania, of the 22d September, 1783, was or was not still in force. The question emphatically was: Has the Executive of Pennsylvania power to put the militia in motion, previous to a requisition from the President, under the laws of the Union, if it shall be thought advisable so to do? Indeed, it seems to be admitted by one part of your letter, that the preliminary measure contemplated did turn on this question, and with a particular eye to the authority and existence of the act just mentioned.

3. The information contained in the papers, read at the conference, besides the violence offered to the marshal, while in company with the inspector of the revenue, established that the marshal had been afterwards made prisoner by the insurgents, put in jeopardy of his life, had been obliged to obtain safety and liberty by a promise, guaranteed by Colonel Presby Neville, that he would serve no other process on the west side of the Allegany mountains; that, in addition to this, a deputation of the insurgents had gone to Pittsburgh, to demand of the marshal a surrender of the processes in his possession, under the intimation that

it would satisfy the people *and add to his safety;* which necessarily implied that he would be in danger of further violence without such a surrender. That under the influence of this menace, he had found it necessary to seek security by taking, secretly, and in the night, a circuitous route.

This recapitulation is not made to invalidate the explanation offered in your last letter of the view of the subject, which you assert to have led to the suggestions contained in your first, and of the sense which you wish to be received as that of the observations accompanying those suggestions. It is intended solely to manifest that it was natural for the President to regard your communication of the 5th instant, in the light under which it is presented in the reply to it.

For having informed you that the matter was before an associate justice, with a view to the law of the United States, which has been mentioned, and having pointed out what was said respecting a *preliminary* proceeding on your part to a call of the militia under the authority of a state law, by anticipation of a requisition from the general government, and in co-operation with an eventual plan to be founded upon the laws of the Union, it was not natural to expect that you would have presented a plan of conduct entirely on the basis of the State government, even to the extent of resorting to the legislature of Pennsylvania, after its judiciary had proved incompetent "to prescribe by their wisdom and authority the means of subduing the spirit of insurrection and of restoring tranquillity and order," a plan which, being incompatible with the course marked out in the laws of the United States, evidently could not have been acceded to without a suspension, for a long and indefinite period, of the movements of the federal Executive pursuant to those laws. The repugnancy and incompatibility of the two modes of proceeding at the same time cannot, it is presumed, be made a question.

Was it extraordinary, then, that the plan suggested should have been unexpected, and that it should even have been thought liable to the observation of having contemplated Pennsylvania in a light too separate and unconnected?

The propriety of the remark, "that it was impossible not to

think that the current of the observations in your letter might be construed to imply a virtual disapprobation of that plan of conduct on the part of the government of Pennsylvania, if arrived at a similar stage," must be referred to the general tenor and complexion of those observations, and to the inference they were naturally calculated to inculcate. If this inference was, that under the known circumstances of the case, the employment of force to suppress the insurrection was improper, without a long train of preparatory expedients; and if, in fact, the government of the United States (which has not been controverted) was at that point where it was admitted that the government of Pennsylvania being arrived the resort to force on its part would be proper, the impression which was made could not have been effaced by the consideration that the forms of referring what concerned the government of the Union to the judgment of its own Executive, were carefully observed. There was no difficulty in reconciling the intimation of an opinion unfavorable to a particular course of proceeding with an explicit reference of the subject (officially speaking) to the judgment of the officer charged by the Constitution to decide, and with a sincere recognition of the subjection of the individual authority of the State to the national jurisdiction of the Union.

The disavowal by your excellency of an intention to sanction the inference, which was drawn, renders what has been said a mere explanation of the cause of that inference, and of the impressions which it *at first* made.

It would be foreign to the object of this letter to discuss the various observations, which have been adduced to obviate a misapprehension of your views, and to maintain the propriety of the course pursued in your first communication. It is far more pleasing to the President to understand you in the sense you desire, and to conclude that no opinion has been indicated by you inconsistent with that which he has entertained of the state of things and of his duty in relation to it. And he remarks, with satisfaction, the effect which subsequent information is supposed to be calculated to produce favoring an approximation of sentiments.

But there are a few miscellaneous points, which, more effectually to prevent misconceptions any where, seem to demand a cursory notice.

You observe that the President had *already determined* to exercise his legal powers in drafting a competent force of the militia. At the point of time to which you are understood to refer, namely, that of the conference, the President *had no legal power* to call forth the militia. No judge had yet pronounced that a case justifying the exercise of that power existed. You must be sensible, sir, that all idea of your calling out the militia by your authority, was referred to a state of things antecedent to the lawful capacity of the President to do it by his own authority; and when he had once determined upon the call, pursuant to his legal powers, it were absurd to have proposed to you a separate and unconnected call. How, too, it might be asked, could such a determination, if it had been made, and was known to you, have comported with the plan suggested in your letter, which presupposes that the employment of force had not already been determined upon?

This passage of your letter is, therefore, considered to mean only that the President had manifested an opinion predicated upon the event of such a notification from a judge as the law prescribes, that the nature of the case was such as would probably require the employment of force. You will also, it is believed, recollect that he had not at the time finally determined upon any thing, and that the conference ended with referring the whole subject to further consideration.

You say, that if you had undertaken not only to comply promptly with the President's requisition, but to embody a distinct corps for the same service, a useless expense would have been incurred by the State, an unnecessary burden would have been imposed on the citizens, and embarrassment and confusion would probably have been introduced instead of system and cooperation. *But both were never expected.* Your embodying the militia independent of a requisition from the President, was never thought of, except as a preliminary and auxiliary step. Had it taken place when the requisition came, the corps em-

bodied would have been ready towards a compliance with it, and no one of the inconveniences suggested could possibly have arisen.

You say, in another place, that you "were called *upon to act*, not in conformity to a positive law, but in compliance with the duty which is supposed to result from the nature and constitution of the executive office." It is conceived that it would have been more correct to have said, "you were called upon *to be consulted* whether you had power in the given case to call forth the militia, without a previous requisition from the general government." The supposition that you might possess this power was referred to a law of Pennsylvania, which appeared, on examination, to have been repealed. A gentleman who accompanied you thought that the power, after a due notification of the incompetency of the judiciary, might be deduced from the nature and constitution of the executive office.

It has appeared to your excellency fit and expedient to animadvert upon the nature of the evidence produced at the conference, and to express some doubts which had occurred to your mind concerning it.

As the laws of the United States have referred the evidence in such cases to the judgment of a district judge, or associate justice, and, foreseeing that circumstances so peculiar might arise as to render rules relating to the ordinary and peaceable state of society inapplicable, have forborne to prescribe any, leaving it to the understanding and conscience of the judge, upon his responsibility, to pronounce what kind and degree of evidence should suffice, the President would not sanction a discussion of the standard or measure by which evidence in those cases ought to be governed. He would restrain himself by the reflection that this appertains to the province of another, and that he might rely as a guide upon the decision which should be made by the proper organ of the laws for that purpose.

But it may be no deviation from this rule to notice to you that the facts stated in the beginning of this letter, under the third head, appear to have been overlooked in your survey of the evidence, while they seem to be far from immaterial to a just estimate of it.

You remark that "when you found that the marshal had, without molestation, executed his office in the county of Fayette, that he never was insulted or opposed till he acted in company with General Neville, and that the virulence of the rioters was directly manifested against the person and property of the latter gentleman, and only incidentally against the person of the former, you thought there was ground yet to suppose that a spirit of opposition to the officers employed under the excise law, *and not a spirit of opposition to the officers employed in the administration of justice*, was the immediate source of the outrages which are deprecated."

It is natural to inquire how this supposition could consist with the additional facts which appeared by the same evidence, namely, that the marshal having been afterwards made prisoner by the rioters, had been compelled, for obtaining safety and liberty, to promise to execute no more processes within the discontented scene; and that subsequently again to this, in consequence of a deputation of the rioters deliberately sent to demand a surrender of the processes in his possession, enforced by a threat, he had found it necessary to seek security in withdrawing by a secret and circuitous route; did not these circumstances unequivocally denote that officers *employed in the administration of justice* were as much objects of opposition as those employed in the execution of the particular laws, and that the rioters were at least consistent in their plan?

It must needs be, that these facts escaped your excellency's attention, else they are too material to have been omitted in your review of the evidence, and too conclusive not to have set aside the supposition which you entertained, and which seemed to have had so great a share in your general view of the subject.

There remains only one point on which your excellency will be longer detained—a point, indeed, of great importance, and consequently demands serious and careful reflection. It is the opinion you so emphatically express, that the mere *dispersion* of the insurgents is the sole object for which the militia can be

called out, or kept in service after they may have been called out.

The President reserves to the last moment the consideration and decision of this point.

But there are arguments weighing heavily against the opinion you have expressed, which, in the mean time, are offered to your candid consideration.

The Constitution of the United States (article 1, section 8) empowers Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," evidently from the wording and distribution of the sentence, contemplating the execution of the laws of the Union, as a thing distinct from the suppression of insurrections.

The act of May 2, 1792, for carrying the provision of the Constitution into effect, adopts for its title the very words of the Constitution, being "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," continuing the constitutional distinction.

The first section of the act provides for the cases of invasion, and of insurrection, confining the latter to the case of insurrection against the government of a State. The second section provides for the case of the execution of the laws being obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals.

The words are these: "Whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, the same being notified to the President of the United States by an associate judge, or the district judge, it shall be lawful for the President of the United States to call forth the militia of such State *to suppress such combinations, and to cause the laws to be duly executed.*" Then follows a provision for calling forth the militia of other States.

The terms of this section appear to contemplate and describe something that may be less than insurrection. "The combina-

tions" mentioned may indeed amount to insurrections, but it is conceivable that they may stop at associations not to comply with the law, supported by riots, assassinations, and murders, and by a general spirit in a part of the community, which may baffle the ordinary judiciary means, with no other aid than the posse comitatus, magistrates and officers in the execution of their duty. And the objects for which the militia are to be called are expressly *not only* to suppress these combinations, (whether amounting to insurrections or not,) *but to cause the laws to be duly executed.*

It is therefore plainly contrary to the manifest general intent of the Constitution and of this act, and to the positive and express terms of the second section of the act, to say that the militia called forth are not to be continued in service for the purpose of *causing the laws to be duly executed*, and, of course, till they are so executed.

What is the main and ultimate object of calling forth the militia? "To cause the laws to be executed." Which are the laws to be executed? Those which are opposed and obstructed in their execution by the combinations described in the present case—the laws laying duties upon spirits distilled within the United States, and upon stills; and incidentally those which uphold the judiciary functions. When are the laws executed? Clearly, when the opposition is subdued; when penalties for disobedience can be enforced; when a compliance is effectuated.

Would the mere *dispersion* of insurgents, and their retiring to their respective homes, do this? Would it satisfy either member of the provision—the suppression of the combinations or the execution of the laws? Might not the former, notwithstanding the *dispersion*, continue in full vigor, ready at any moment to break out into new acts of resistance to the laws? Are the militia to be kept perpetually marching and counter-marching towards the insurgents while they are embodied, and from them when they have separated and retired? Suppose the insurgents, hardy enough to wait the experiment of a battle, are vanquished, and then disperse and retire home, are the militia immediately to retire also? to give them an opportunity to re-

assemble, recruit, and prepare for another battle? And is this to go on, and be repeated without limit?

Such a construction of the law, if true, were certainly a very unfortunate one, rendering its provisions essentially nugatory, and leading to endless expense, and as endless disappointment. It could hardly be advisable to vex the militia, by marching them to a distant point, where they might scarcely be arrived before it would be legally necessary for them to return, not in consequence of having effected their object—of having "caused the laws to be executed"—but in consequence of the mere stratagem of a deceitful dispersion and retiring.

Thus far the spirit as well as the positive letter of the law, combats the construction which you have adopted. It remains to see if there be any other part of it which compels to a renunciation both of the letter and spirit of the antecedent provisions.

The part which seems to be relied upon for this effect, is the third section, which by way of proviso enjoins, "That whenever it may be necessary, in the judgment of the President, to *use* the military force by that act directed to be called forth, he shall forthwith, and previous thereto, by proclamation, command the insurgents to disperse and retire peaceably to their respective abodes, within a limited time." But does this affirm, does it necessarily even imply, that they, after the dispersion and retiring, are not to be used for the purpose for which they are authorized to be called forth, that is, "to cause the laws to be duly executed," to countenance by their presence, and, in case of further resistance, to protect and support by their strength, the respective civil officers in the execution of their several duties, whether for bringing delinquents to punishment, or otherwise for giving effect to the laws? May not the injunction of this section be regarded as a merely humane and prudent precaution, to distinguish, previous to the *actual application* of force, a hasty tumult from a deliberate insurrection? To give an opportunity for those who may be accidentally or inadvertently mingled in a tumult or disorderly rising, to separate and withdraw from those who are designedly and deliberately actors? To prevent, if possible, bloodshed in a conflict of arms, and, if this cannot be

done, to render the necessity of it palpable, by a premonition to the insurgents to disperse and go home? And are not all these objects compatible with the further employment of the militia for the ulterior purpose of causing the laws to be executed in the way which has been mentioned? If they present a rational end for the proviso, without defeating the main design of the antecedent provision, it is clear they ought to limit the sense of the former, and exclude a construction which must make the principal provision nugatory.

Do not the rules of law and reason unite in declaring that the different parts of a statute shall be so construed, as, if possible, to consist with each other; that a *proviso* ought not to be understood or allowed to operate in a sense tending to defeat the principal clause; and that an implication (if, indeed, there be any such implication as is supposed in the present case) ought not to overrule an express provision, especially at the sacrifice, at the *manifest general intent* of a law, which, in the present case, undoubtedly is, that the militia shall be called forth "*to cause the laws to be duly executed?*"

Though not very material to the merit of the argument, it may be remarked, that the proviso which forms the third section, contemplates merely the case of insurrection. If the *combinations* described in the second section may be less than insurrection, then the proviso is not commensurate with the whole case contained in the second section, which would be an additional circumstance to prove that it cannot work an effect which shall be a substitute for the main purpose of the first section.

I have the honor to be, with perfect respect, sir, your excellency's most obedient servant.

WASHINGTON TO HAMILTON.

Wednesday, Sept. 8, 1794.

DEAR SIR:

As I know nothing that calls me to the city to-day, I shall not be there until to-morrow, which will be in time for common occurrences.

The contents of the inclosed are agreeable.

Yours always.

JAY TO HAMILTON.

LONDON, Sept. 11, 1794.

DEAR SIR:

I had last week the pleasure of receiving from you a few lines by Mr. Blaney. You will receive this letter by the hands of Mr. Morris. He will also be the bearer of my dispatches to Mr. Randolph; they will be voluminous, particular, and in many respects interesting. It should not be forgotten, that there is irritation here as well as in America, and that our *party* processions, toasts, rejoicings, &c., &c., have not been well calculated to produce good will and good humor. The government nevertheless distinguishes between national acts and these party effusions, and have entertained hitherto an opinion and belief, that the President, and our government and nation in general, were really desirous of an amicable settlement of differences, and of laying a foundation for friendship, as well as peace, between the two countries.

The Secretary's letters by Mr. Monroe, and his speech on his introduction to the convention, have appeared in the English papers. Their impression in this country may easily be conjectured. I wish they had both been more guarded. The language of the United States at Paris and at London should correspond

with their neutrality. These things are not favorable to my mission.

A speedy conclusion to the negotiation is problematical, though not highly improbable. If I should be able to conclude the business on admissible terms, I shall do it, and risk consequences, rather than by the delays of waiting for, and covering myself by opinions and instructions, hazard a change in the disposition of this court; for it seems our country, or rather some parts of it, will not forbear asperities. I hear that Virginia is taking British property by escheat; and other things which in the present moment are unreasonable are here reported.

As the proposed articles are under consideration, as they have already undergone some alterations, and as I am not without hopes of other and further amendments, I really think they ought not to be published in their present crude state; especially as in the course of a few weeks I expect to be able to communicate their *ultimate* form. If *then* they should not appear to me to be such as I ought to sign, I will transmit them and wait for further instructions.

I am, dear sir, yours sincerely.

JAY TO HAMILTON.

LONDON, Sept. 17, 1794.

DEAR SIR:

There is something very pleasant in the reflection that while war, discord, and oppression triumph in so many parts of Europe, their domination does not extend to our country. I sometimes flatter myself that Providence, in compassion to the afflicted in these countries, will continue to leave America in a proper state to be an asylum to them.

Among those who have suffered severely from these evils, is Mons. De Rochefoucauld Liancourt, formerly President of the National Assembly of France. His rank and character are

known to you. He will be the bearer of this letter, and I am persuaded that his expectations from it will be realized.

Yours sincerely.

HAMILTON TO RANDOLPH.

Remarks on Lord Grenville's project of a commercial treaty, made at the request of E. Randolph, Esq., Secretary of State.

1794.

A.—Inasmuch as the light-house duties which are *excepted*, constitute an additional charge on vessels of the United States beyond those of Great Britain in British ports, this article, which puts British vessels in our ports exactly upon the same footing with ours, wants reciprocity. But the most important consideration will be, that as the distinctions which now exist between foreign and our own vessels are really of importance to our trade, our merchants will see them relinquished with reluctance, unless there be some clear equivalent. If the stipulation extends to duties on *goods* brought in British bottoms, the conclusion is so much the stronger.

B.—This article in its operation wants reciprocity. The British system contains *now* numerous prohibitions, ours none. To fix this state of things is to renounce an important right to and place ourselves on an unequal footing. It gives a claim to some equivalent.

C.—It may be supposed that the equivalent in both cases is to be found in this article. It would be so, (excepting one circumstance that will be presently mentioned,) if the duration of the privileges granted was coextensive with that of the other parts of the treaty. But the short term of the privileges here proposed to be granted renders them of *inconsiderable* value. The proviso, too, prohibits vessels of the United States from carrying "*West India*" productions from the British Islands or

the United States to any other parts of the world. If this prohibition is to be taken in a literal sense and to extend to the West India possessions of other countries than Great Britain, it would be to renounce a valuable branch of trade now enjoyed, and probably more than would be gained.

D.—The article giving a duration of twelve years to the treaty as it respects the trade with Europe, and of only two years as it respects the West Indies, will be very unacceptable. It will be more so as the project does not even secure the *status quo* with the European dominions of Great Britain; that is, it does not *secure* the particular privileges and exemptions which we now enjoy by proclamation compared with other foreign nations.

Mr. Hamilton communicates these remarks in personal confidence to Mr. Randolph, with this request, that no *copy* of them may be taken, and that this paper may be returned, after it serves the purpose for which these remarks were requested.

HAMILTON TO WASHINGTON.

PHILADELPHIA, Sept. 19th, 1794.

SIR:

Upon full reflection I entertain an opinion, that it is advisable for me, on public ground, considering the connection between the immediate ostensible cause of the insurrection in the western country and my department, to go out upon the expedition against the insurgents. In a government like ours, it cannot but have a good effect for the person who is understood to be the adviser or proposer of a measure, which involves danger to his fellow-citizens, to partake in that danger: while, not to do it, might have a bad effect. I, therefore, request your permission for the purpose.

My intention would be not to leave this till about the close of the month, so as to reach one of the columns at its ultimate point of rendezvous. In the mean time, I take it for granted,

General Knox will arrive, and the arrangements which will be made will leave the Treasury Department in a situation to suffer no embarrassment by my absence; which, if it be thought necessary, may terminate about or shortly after the meeting of Congress.

With perfect respect, and the truest attachment, I have, &c.

PROCLAMATION.

September 25th, 1794.

By the President of the United States of America.

A PROCLAMATION.

Whereas, from a hope that the combinations against the Constitution and laws of the United States, in certain of the western counties of Pennsylvania, would yield to time and reflection, I thought it sufficient, in the first instance, rather to *take measures* for calling forth the militia than immediately to *embody* them; but the moment is now come when the overtures of forgiveness, with no other condition than a submission to law, have been only partially accepted; when every form of conciliation, not inconsistent with the being of government, has been adopted without effect; when the well-disposed in those counties are unable by their influence and example to reclaim the wicked from their fury, and are compelled to associate in their own defence; when the proffered lenity has been perversely misinterpreted into an apprehension that the citizens will march with reluctance; when the opportunity of examining the serious consequences of a treasonable opposition has been employed in propagating principles of anarchy, endeavoring, through emissaries, to alienate the friends of order from its support, and inviting its enemies to perpetrate similar acts of insurrection; when it is manifest that violence would continue to be exercised upon every attempt to enforce the laws; when, therefore, government is set at defiance,

the contest being whether a small portion of the United States shall dictate to the whole Union, and, at the expense of those who desire peace, indulge a desperate ambition. Now, therefore, I, George Washington, President of the United States, in obedience to that high and irresistible duty consigned to me by the Constitution, "to take care that the laws be faithfully executed," deploring that the American name should be sullied by the outrages of citizens on their own government; commiserating such as remain obstinate from delusion; but resolved, in perfect reliance on that gracious Providence which so signally displays its goodness towards this country, to reduce the refractory to a due subordination to the law, do hereby declare and make known that, with a satisfaction which can be equalled only by the merits of the militia summoned into service from the States of New Jersey, Pennsylvania, Maryland, and Virginia, I have received intelligence of their patriotic alacrity in obeying the call of the present, though painful, yet commanding necessity; that a force, which according to every reasonable expectation is adequate to the exigency, is already in motion to the scene of disaffection; that those who have confided, or shall confide in the protection of government, shall meet full succor under the standard and from the arms of the United States; that those who, having offended against the law, have since entitled themselves to indemnity, will be treated with the most liberal good faith, if they shall not have forfeited their claim by any subsequent conduct, and that instructions are given accordingly. And I do moreover exhort all individuals, officers, and bodies of men, to contemplate with abhorrence the measures leading directly or indirectly to those crimes which produce this resort to military coercion; to check, in their respective spheres, the efforts of misguided or designing men to substitute their misrepresentations in the place of truth, and their discontents in the place of stable government; and to call to mind, that, as the people of the United States have been permitted, under the Divine favor, in perfect freedom, after solemn deliberation, and in an enlightened age, to elect their own government, so will their gratitude for this inestimable blessing be best distinguished by firm exertions to maintain the Constitu-

tion and the laws. And, lastly, I again warn all persons whomsoever and wheresoever, not to abet, aid, or comfort the insurgents aforesaid, as they will answer the contrary at their peril; and I do also require all officers and other citizens, according to their several duties, as far as may be in their power, to bring under the cognizance of the law all offenders in the premises.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-fifth day of September, one thousand seven hundred and ninety-four, and of the independence of the United States of America the nineteenth.

G. WASHINGTON.

By the President,
EDM. RANDOLPH.

HAMILTON TO THE GOVERNOR OF GEORGIA.

WAR DEPARTMENT, September 25, 1794.

SIR:

In the absence of the Secretary of War, I have the honor to acknowledge the receipt of your letters to his department, of the 5th, 19th, and 30th of August, and to reply to such parts as are the most pressing, referring the others to the return of that officer.

Among the posts which have been established, that of Doctor's Town creates a question, in consequence of Lieutenant Colonel Gaither's information that it is within the Indian boundary.

This is a matter which ought to be unequivocally ascertained, and if found to be within the Indian line, or if it be even doubtful whether that be the case, the post must be immediately removed. It is deemed essential that no encroachment should

take place. And your excellency is relied upon for a strict and scrupulous adherence to this principle.

Under the circumstances which led to it, the President has thought proper to authorize the adoption by the United States, of the new troop ordered by you into service, from the time of its commencement, and to continue until the first of November ensuing, when it is to be disbanded.

And you are at liberty, if the state of things shall render it, in your judgment, essential, to substitute at that time a company of infantry for the same service. Corps of horse, upon the terms on which that in question is engaged, are expensive in the extreme; and in a much greater proportion, compared with infantry, than any supposable superiority of usefulness can justify. Indeed, it would require a treasury much better supplied than that of the United States, to support the expense of a multiplication or extension of such corps. Consequently, that multiplication or extension would tend to defeat its own object; for our instruments of defence, to be durable, must be relative to our means of supporting them. And when we find, as in the instance of the insurrection now existing in the western parts of Pennsylvania, that those for whose immediate benefit the objects of military expenditure occur, are among the first to resist, even to violence, the necessary means of defraying them, it is easy to appreciate the perplexing dilemma to which the government is reduced, between the *duty* and the *means* of affording protection, and the necessity, consequently, of economy in the modes of effecting it.

Your excellency is pleased to express your concern, at being so repeatedly compelled to solicit protection for the State of Georgia.

This is not understood as implying any want of due disposition on the part of the Executive of this government, to afford all the protection which is within the compass of the means placed within its power, having regard to all the objects which, along a very extended frontier, equally demand attention. It is not doubted that you render justice, in this respect, to the views of the Executive.

But the observation you have made in this particular, naturally leads to another, which calls for the most serious attention of the governments of the States, exposed to Indian depredations. It is this, that there is a reciprocal duty in the case. The obligation upon the United States, to afford adequate protection to the inhabitants of the frontiers, is no doubt of the highest and most sacred kind. But there is a duty no less strong upon those inhabitants, to avoid giving occasion to hostilities, by an irregular and improper conduct; and upon the local governments, sincerely and effectually to punish and repress instances of such conduct, and the spirit which produces them. If these inhabitants can, with impunity, thwart all the measures of the United States for restoring or preserving peace; if they can, with impunity, commit depredations and outrages upon the Indians, and that, in violation of the faith of the United States, pledged not only in their general treaties, but even in the special (and among all nations, peculiarly sacred) case of a safe conduct, as in the instance of the attack upon the Indians, while encamped within our protection, on the 10th of May last; can it be surprising if such circumstances should abate the alacrity of the national councils to encounter those heavy expenses, which the protection of the frontiers occasions, and of the readiness of the citizens of the United States, distant from the scenes of danger, to acquiesce in the burdens they produce? It is not meant, by these remarks, to diminish the force of the excuse within due limits, which is drawn from the conduct of the Indians towards the frontier inhabitants. It cannot be denied, that frequent and great provocations to a spirit of animosity and revenge are given by them; but a candid and impartial survey of the events, which have from time to time occurred, can leave no doubt that injuries and provocations have been too far mutual; that there is much to blame in the conduct of the frontier inhabitants, as well as in that of the Indians. And the result of a full examination must be, that, unless means to restrain, by punishing the violences which those inhabitants are in the habit of perpetrating against the Indians, can be put in execution, all endeavors to preserve peace with them must be for ever frustrated.

An example, worthy of imitation, in its spirit, has lately been given, by the surrender to Governor Blount of some Indians who lately committed a murder upon one John Ish, an inhabitant of the south-western territory, and who have been tried and executed. The record of such an example of justice and fair dealing, will give occasion to us to blush, if we can cite no instance of reciprocity, amidst the numerous occasions which are given for the exercise of it.

These reflections, your excellency may be assured, are merely designed to present to consideration some very important truths —truths, a due attention to which is of the most serious concern to those States which have an exposed frontier. To give full weight to their claims, upon the exertions of the Union to afford the requisite protection, it is of great moment to satisfy the United States, that the necessity for them has not been created, or promoted by a culpable temper, not sufficiently restrained, among those to whom the protection is immediately to be extended.

The President learns, with great pleasure, the measures your excellency had begun, and was about to pursue, for the removal of the settlers under General Clarke. It is impossible to conceive a settlement more unjustifiable in its pretexts, or more dangerous in its principle, than that which he is attempting. It is not only a high-handed usurpation of the rights of the General and State governments, and a most unwarrantable encroachment upon those of the Indians; but, proceeding upon the idea of a separate and independent government, to be erected upon a *military basis*, it is essentially hostile to our republican systems of government, and is pregnant with incalculable mischiefs. It deeply concerns the great interests of the country that such an establishment should not be permitted to take root, and that the example should be checked by adequate punishment; in doing which, no time is to be lost: for, such is the nature of the establishment, that it may be expected rapidly to attain to a formidable magnitude, involving great expense and trouble to subvert it.

The President, therefore, depends absolutely upon measures, equally prompt and efficacious, to put an end to it.

Mr. Habersham, agent for supplies, is instructed to co-operate; and the Governor of South Carolina is requested to afford, upon your application, the aid of the militia of that State, if circumstances, as does not appear probable, should require it.

No agreement or arrangement which may be made, or pretended to be made between these settlers and the Indians, ought to be suffered to make any alteration in the plan of suppressing the settlement: for, no such agreement, or arrangement, can possibly be legal; or, considering the manner in which the settlement has been commenced, can, without affording a most pernicious example, receive the future sanction of government.

You desire instructions with regard to the prisoners that may be made, in the event of the employment of force. You will be pleased to cause them to be delivered over to the custody of the judiciary, and in preference, to that of the United States; as their laws define and prescribe particular punishments in such cases.

ALEX. HAMILTON.

WOLCOTT TO WILKES.

TREASURY DEPARTMENT, October 8th, 1794.

SIR:

I have had the pleasure to receive your letter of the 6th instant, addressed to the Secretary of the Treasury, announcing that the President, Directors and Company of the New-York Bank, have generously complied with his proposals for a loan of two hundred thousand dollars for the public service.

I inclose a contract for the repayment of this sum on the terms proposed, when the counterpart has been executed on the part of the corporation of the bank. I must request you to transmit it to the Treasury.

The proceeds of the loan may be passed to the credit of the

United States at New-York, and held subject to the drafts of the Treasurer.

I am, with consideration, sir, your obedient servant.

For the Secretary of the Treasury.

OLIVER WOLCOTT, Jun.

HAMILTON TO LEE.

BEDFORD, October 20, 1794.

SIR:

I have it in special instruction from the President of the United States, now at this place, to convey to you the following instructions for the general direction of your conduct in the command of the militia army, with which you are charged.

The objects for which the militia have been called forth are—

1st. To suppress the combinations which exist in some of the western counties in Pennsylvania, in opposition to the laws laying duties upon spirits distilled within the United States, and upon stills.

2d. To cause the laws to be executed.

These objects are to be effected in two ways.

1. By military force.

2. By judiciary process and and other civil proceedings.

The objects of the military force are two-fold.

1. To overcome any armed opposition which may exist.

2. To countenance and support the civil officers in the means of executing the laws.

With a view to the first of these two objects, you will proceed, as speedily as may be, with the army under your command, into the insurgent counties, to attack, and as far as shall be in your power, subdue, all persons whom you may find in arms in opposition to the laws above mentioned. You will march your army in two columns, from the places where they

are now assembled, by the most convenient routes, having regard to the nature of the roads, the convenience of supply, and the facility of co-operation and union; and bearing in mind that you ought to act, till the contrary shall be fully developed, on the general principle of having to contend with the whole force of the counties of Fayette, Westmoreland, Washington, and Allegany, and of that part of Bedford which lies west of the town of Bedford; and that you are to put as little as possible to hazard. The approximation, therefore, of your columns, is to be sought, and the subdivision of them, so as to place the parts out of mutual supporting distance, to be avoided as far as local circumstances will permit. Parkinson's Ferry appears to be a proper point towards which to direct the march of the columns for the purpose of ulterior measures.

When arrived within the insurgent country, if an armed opposition appear, it may be proper to publish a proclamation, inviting all good citizens, friends of the Constitution and laws, to join the standard of the United States. If no armed opposition exist, it may still be proper to publish a proclamation, exhorting to a peaceable and dutiful demeanor, and giving assurances of performing, with good faith and liberality, whatsoever may have been promised by the Commissioners to those who have complied with the conditions prescribed by them, and who have not forfeited their title by subsequent misconduct.

Of those persons in arms, if any, whom you may make prisoners, leaders, including all persons in command, are to be delivered up to the civil magistrate; the rest to be disarmed, admonished, and sent home, (except such as may have been particularly violent, and also influential,) causing their own recognizances for their good behavior to be taken, in the cases in which it may be deemed expedient.

With a view to the second point, namely, "the countenance and support of the civil officers in the means of executing the laws," you will make such dispositions as shall appear proper to countenance and protect, and, if necessary, and required by them, to support and aid the civil officers in the execution of their respective duties; for bringing offenders and delinquents

to justice; for seizing the stills of delinquent distillers, as far as the same shall be deemed eligible by the supervisor of the revenue, or chief officer of inspection; and also for conveying to places of safe custody such persons as may be apprehended and not admitted to bail.

The objects of judiciary process, and other civil proceedings, will be—

1. To bring offenders to justice.

2. To enforce penalties on delinquent distillers by suit.

3. To enforce the penalty of forfeiture on the same persons, by the seizure of their stills and spirits.

The better to effect these purposes, the judge of the district, Richard Peters, Esquire, and the attorney of the district, William Rawle, Esquire, accompany the army.

You are aware that the judge cannot be controlled in his functions; but I count on his disposition to co-operate in such a general plan as shall appear to you consistent with the policy of the case. But your method of giving a direction to legal proceedings, according to your general plan, will be by instruction to the district attorney.

He ought particularly to be instructed, (with due regard to time and circumstances,) 1st. To procure to be arrested all influential actors in riots and unlawful assemblies relating to the insurrection, and combinations to resist the laws, or having for object to abet that insurrection and those combinations, and who shall not have complied with the terms offered by the Commissioners, or manifested their repentance in some other way, which you may deem satisfactory. 2d. To cause process to issue for enforcing penalties on delinquent distillers. 3d. To cause offenders who may be arrested, to be conveyed to jails where there will be no danger of rescue; those for misdemeanors, to the jails of York and Lancaster; those for capital offences, to the jail of Philadelphia, as more secure than the others. 4th. To prosecute indictable offences in the courts of the United States; those for penalties on delinquents, under the laws before mentioned, in the courts of Pennsylvania.

As a guide in the case, the district attorney has with him a

list of the persons who have availed themselves of the offers of the commissioners on the day appointed.

The seizure of stills is the province of the supervisor and other officers of inspection. It is difficult to chalk out the precise line concerning it. There are opposite considerations which will require to be nicely balanced, and which must be judged of by those officers on the spot. It may be found useful to confine the seizures to stills of the most leading and refractory distillers. It may be advisable to extend them far in the most refractory county.

When the insurrection is subdued, and the requisite means have been put in execution to secure obedience to the laws, so as to render it proper for the army to retire, (an event which you will accelerate as much as shall be consistent with the object,) you will endeavor to make an arrangement for detaching such a force as you deem adequate, to be stationed within the disaffected country, in such a manner as best to afford protection to well-disposed citizens and to the officers of the revenue, and to repress, by their presence, the spirit of riot and opposition to the laws.

But before you withdraw the army, you will promise, on behalf of the President, a general pardon to all such as shall not have been arrested, with such exceptions as you shall deem proper. The promise must be so guarded as not to affect pecuniary claims under the revenue laws. In this measure, it is advisable there should be a co-operation with the Governor of Pennysylvania.

On the return of the army you will adopt some convenient and certain arrangement for restoring to the public magazines, the arms, accoutrements, military stores, tents, and other articles of camp equipage and intrenching tools, which have been furnished, and shall not have been consumed or lost.

You are to exert yourself by all possible means to preserve discipline among the troops, particularly a scrupulous regard to the rights of persons and property, and to a respect for the authority of the civil magistrate; taking especial care to inculcate and cause to be observed this principle: that the duties of the army are confined to the attacking and subduing of armed oppo-

nents of the laws, and to the supporting and aiding of the civil officers in the execution of their functions.

It has been settled that the Governor of Pennsylvania will be second, the Governor of New Jersey third in command, and that the troops of the several States in line, on the march and upon detachment, are to be posted according to the rule which prevailed in the army during the late war; namely, in moving towards the sea-board, the most southern troops will take the right; in moving westward, the most northern will take the right.

These general instructions, however, are to be considered as liable to such alterations and deviations in the detail, as from local and other causes may be found necessary, the better to effect the main object upon the general principles which have been indicated.

With great respect, I have the honor to be, sir,

Your obedient servant,

ALEXANDER HAMILTON.

To Major General LEE.

WASHINGTON TO HAMILTON.

HARTLEY'S, Tuesday evening, 21st October, 1794.

DEAR SIR:

From Colonel Mentges' information, there are detachments of militia a considerable distance in the rear, composed in part, of those whose march was designed to be arrested. He adds, many of them are illy clad. This being the case, it appears to me, that an expense without an equivalent advantage, would result from bringing them forward; and that the clothes which they must draw to fit them for service, would be actually thrown away.

Under this view of the matter, and a full persuasion that the army which is already advanced, is more than competent to any opposition that can be given by the insurgents—I request that

you would advise with Governors Mifflin and Howell, (after receiving the fullest information from Mentges,) and cause all which in your opinions cannot be up in time—all who are inadequately clothed in the rear—and in a word, all who do not upon mature consideration of circumstances appear to be essential, to return, that the country may not be unnecessarily burthened with the clothing, pay and rations of them.

Open all letters of a public nature which may come to the army addressed to me, and such as are in the military line and relating to the business you are upon, hand over to the Commanding General.

HAMILTON TO WASHINGTON.

BERLIN, 3d day's march, October 25th, 1794,
7 o'clock in the evening.

SIR:

We arrived here this afternoon. A very heavy rain has rendered the march extremely arduous and distressing; but we find here much better shelter than was foreseen. Our baggage and stores are just beginning to arrive. The Jersey line and brigade of cavalry took the right-hand road, about five miles back.

To-morrow we shall continue our march, and I hope that we shall conform to the general arrangement, though we must shorten to-morrow's march, and lengthen that of the day following.

The troops have shown all the patience that could have been expected. In short, I perceive nothing amiss.

Bradford and Fulton, it is said, are gone off. By tracing time, it is not probable they were at all influenced by the arrests of Husbands and Phelson.

With the highest respect, and truest attachment, I have the honor to be, &c.

HAMILTON TO WASHINGTON.

BERLIN, October 26th, 1794.

SIR:

The very late arrival of the wagons, the injury to a number of them, and the dispersed situation of the troops, render it impracticable to leave this place to-day, as was intended; but the baggage and stores go forward, and to-morrow the troops must move. I apprehend no material derangement of the general plan. An express has been dispatched to Governor Lee, advising him of the state of things here.

Nothing from the Western country.

With the greatest respect and attachment, &c.

WASHINGTON TO HAMILTON.

SUSQUEHANNA (Wright's Ferry), Oct. 26th, 1794.

DEAR SIR:

A little advanced of this, yesterday afternoon, I met an express with the letters herewith inclosed for you, with others for the army, with which I have directed him to proceed.

Thus far, I have proceeded without accident to man, horse, or carriage, although the latter has had wherewith to try its goodness; especially in ascending the North mountain, from Skinner's, by a wrong road; that is, by the old road, which never was good, and is rendered next to impassable by neglect.

I heard great complaints of Gurney's corps (and some of the artillery), along the road to Strasburgh; there I parted from their route. In some places, I was told, they did not leave a plate, a spoon, a glass, or a knife; and this owing, in a great measure, I was informed, to their being left without officers. At *most*, if not *all*, the encampments, I found the fences, in a manner, burnt up. I pray you to mention this to Governor Mifflin

(and, indeed, to the Quartermaster-General), with a request (to the former) that the most pointed orders may be given, and every precaution used, to prevent the like on the return of the army. If the officers, from impatience to get home, should leave their respective commands—in a word, if they do not march with, and keep the soldiers in their ranks, and from straggling or loitering behind, the borderers on the road will sustain inconceivable damage from the disorderly troops; whose names will be execrated for, and the service disgraced by, such conduct.

There were some letters put into the hands of Governor Lee, which it would be well for you to reposses yourself of; among these, were two to Messrs. Lynn, Mr. Ross's to you, and Messrs. Finley's and Redick's to me. Occasion may require them.

I rode yesterday afternoon, in the rain, from Yorktown to this place, and got twice, in the height of it, hung (and delayed by that means) on the rocks in the middle of the Susquehanna; but I did not feel half as much for my own situation as I did on account of the troops on the mountains, and of the effect the rain might have on the roads through the glades.

I do not intend to proceed further than Lancaster to-day; but on Tuesday, if no accident happens, I expect to be landed in the city of Philadelphia. My best wishes attend you, and all with you.

Yours, sincerely, &c.

P. S. I hope you will be enabled, by *hook* or by *crook*, to send B—— and H——, together with a certain Mr. Guthrie, to Philadelphia, for their winter quarters.

HAMILTON TO WASHINGTON.

JONES' MILL, October 29th, 1794.

SIR:

The light corps, with the Jersey infantry and brigade of cavalry, are at Indian Creek, in Legnoier valley, where they continue

till this division gets up, which will be this evening, as the march will commence in an hour. This division had, I believe, the worst road, and was, besides, encumbered with all the spare stores, which has thrown it a day's march behind the other. But by a letter received yesterday from Governor Lee, it appears that the right wing is fully in measure with the left. All is essentially well with both wings, and the troops continue to show as much good humor as could possibly have been expected.

The meeting at Parkinson's Ferry ended, *we are told*, in a new appointment of commissioners to deprecate the advance of the army, and in new expressions of pacific intentions. But there is nothing which can occasion a question about the propriety of the army's proceeding to its ultimate destination. No appearances whatever of opposition occur.

You desired that a table of the routes of the left wing might be sent you. None was left with any officer of this wing.

With the truest respect and attachment,

I have the honor to be, Sir,

Your obd't serv't, &c.

P. S. It is hoped that the original papers have been forwarded, as the list furnished from the Secretary of State's office would be a deceptive guide. Memoranda of the Attorney-General, brought by this express, will greatly aid, perhaps sufficiently; but the originals would be best.

HAMILTON TO WASHINGTON.

CAMP, 1½ miles beyond Cherry's Mill, October 31, 1794.

SIR:

The New Jersey infantry and brigade of cavalry are at this place. The Pennsylvania infantry will be here this evening. The light corps is advanced about two miles. No official account

since that heretofore communicated has come from the left wing. But a person who came from Uniontown, yesterday, informs that *Morgan*, with the advance, was there; the main body about twenty miles behind. I propose in about an hour to set out for Uniontown.

All announces trepidation and submission. The new Commissioners have been with Governor Mifflin, charged with new declarations by townships, battalions of militia, &c., of a disposition to obey the laws. The impression is certainly for the present strong, but it will be stronger and more permanent by what is to follow. It does not appear that any great number have fled.

With the truest respect and attachment, I have the honor to be, &c.

WASHINGTON TO HAMILTON.

PHILADELPHIA, 31st October, 1794.

DEAR SIR:

By pushing through the rain, (which fell more or less on Saturday, Sunday, and Monday,) I arrived in this city before noon, on Tuesday, without encountering any accident on the road, or any thing so unpleasant as the badness of the ways, after the rain had softened the earth, and made them susceptible of deep impression of the wheels.

How you passed through the glades, after the various accounts we had received of them, in such wet weather, I am at a loss to conjecture, but am extremely anxious to know; as I am also to learn the operations of the army, and the state and condition of it since.

Nothing important or new has been lately received from our ministers abroad; and although accounts from London to the first of September, and from Ireland of still later date, have been inserted in the gazettes, they are not precise enough to be detailed in a letter. In general, however, the French continue to

be successful by land, and it might be added, by sea also, for they are capturing a great number of British merchantmen. Nor does the fate of Robespierre seem to have given more than a momentary stagnation to their affairs. The armies rejoice at it, and the people are congratulating one another on the occasion.

Mr. Monroe has arrived in France, and has had his reception in the midst of the Convention at Paris, but no letter has been received from him.

Few members have yet come to town. To-morrow, I presume, will bring many. The papers say Mr. Trumbull is elected to the Senate, in the room of Mr. Mitchell, who has resigned; but who has, or will, supply his place in the other House is not mentioned.

Husbands and the other prisoners were safely lodged in this city on Wednesday afternoon. Press the Governor, &c., to be pointed in ordering the officers under their respective commands to march back with their respective corps, and to see that the inhabitants meet with no disgraceful insults or injuries from them. The Secretary of War will, I expect, say something respecting the deposit of the arms and public stores in *proper* places. To him, therefore, I shall refer.

Mrs. Hamilton and your family were very well yesterday afternoon. Your letter of the 23d has been received.

I am always and affectionately, yours, &c.

HAMILTON TO WASHINGTON.

CHERRY'S MILL, November 3d, 1794.

SIR:

I have returned to this place, from Uniontown. A letter from Governor Lee, which goes with this, probably informs you of the plan of future operations; but, lest it should not, I will briefly state it. The right wing is to take a position with its

left towards Budd's Ferry, and its right towards Greensburgh. The left wing is to be posted between the Youghiogheny and Monongahela, with its left towards the latter, and its right towards the former. Morgan, with his command, including the whole of the light corps, and perhaps a part of the brigade of cavalry, will go into Washington county. It is not unlikely that, in the course of the business, a part of the troops will take a circuit by Pittsburgh; for the more places they can appear in, without loss of time, the better.

In adopting this plan, the circumstance of much delay in crossing and recrossing waters, has weighed powerfully; and the quiescent state of the country renders the plan entirely safe. Boats, however, will be collected on both waters, to facilitate mutual communication and support.

I received the letter you was so good as to write me, on the road, with those that accompanied it.

The rainy weather continues, with short intervals of clear. The left wing has suffered from sickness, but the right has been and continues remarkably healthy. The troops also continue to behave well. A court martial sits to-day, to try one or two riotous fellows, and one or two marauders. The appointment of it has checked the licentious corps.

With the truest respect and attachment,

I have the honor to be, &c.

P. S. Not many fugitives from justice as yet.

WASHINGTON TO HAMILTON.

PHILADELPHIA, 5th Nov., 1794.

DEAR SIR:

Since my last to you, I have received your several letters of the 25th, 26th and 29th of last month, and am glad to hear that the troops continue to be in good health and spirits, notwith-

standing the bad weather and the roads, and that farther indications of submission were likely to be manifested by the insurgents.

I have not received the route of either column of the army, nor a copy of the order establishing them issued on the day of my departure from Bedford.

Upon inquiry I find that it was copies only of papers that had been sent from the Secretary of State's office, the originals being adjudged necessary for the archives.

For want of a quorum in the Senate, Congress have not yet proceeded on business, and it is questionable it seems whether it will make a house to-day—five members being wanting for this purpose yesterday afternoon.

Bache, as I expected, has opened his batteries upon your motives for remaining with the army. As the papers (I presume) are sent to you, I shall not repeat them. Although there are some late arrivals, the gazettes have not as yet announced any thing new.

Mrs. Hamilton and your family were well yesterday. Mrs. Schuyler and son (John) and daughter are there, but talk of going away to-day or to-morrow.

I am your affectionate, &c.

HAMILTON TO WASHINGTON.

HEAD QUARTERS, ROSHAVEN TOWNSHIP, November 8, 1794.

SIR:

Morgan, with the whole of the light troops, has crossed into Washington county. Dispositions of different corps are making to strike at once into the most disaffected scenes.

It appears evident, that to wait for preliminary investigations to apprehend the guilty upon process, would defeat the object, and produce delay beyond the patience of the troops, or the time allowed by the season for operation. With the advice of the

district attorney, the Commander-in-Chief has concluded to take hold of all who are worth the trouble in a more summary way, that is, by the military arm, and then to deliver them over to the disposition of the judiciary. In the mean time, all possible means are using to obtain evidence, and accomplices will be turned against the others.

This step is directed by that principle of common law that every man may of right apprehend a traitor.

I hope good objects will be found notwithstanding many have gone off. It is proved that Breckenridge did not subscribe till after the day, and that he has been the worst of all scoundrels. The only question is how far the candor of the government, owing to the use made of him by the commissioners, might be compromited.

The Commander-in-Chief is taking measures, with a good prospect of success, to engage a competent corps to be stationed in the country—a regiment of infantry and four troops of horse. The plan is to engage them for nine months, but a suit of clothes must be allowed.

Being not very well, I am obliged to be brief.

With the truest respect and attachment, I have the honor to be, sir, &c.

HAMILTON TO WASHINGTON.

ROSHAVEN TOWNSHIP, November 11, 1794.

SIR:

I have the honor of your note of the 5th instant.

To-morrow the measures for apprehending persons and seizing stills will be carried into effect. I hope there will be found characters fit for examples, and who can be made so. Colonel Hamilton, sheriff, is now at our quarters—come to make a voluntary surrender of himself. It is not yet certain how much can be proved against him; but otherwise he is a very fit subject.

I observe what Mr. Bache is about. But I am the more

indifferent to it as experience has proved to me, (however it may be in ways which I could not *allege* in my justification,) that my presence in this quarter was in several respects not useless. And it is long since I have learned to hold popular opinion of no value. I hope to derive from the esteem of the discerning, and an internal consciousness of zealous endeavors for the public good, the reward of those endeavors.

I propose, if no urgent reason to the contrary occurs, to leave this country for Philadelphia about the 15th instant, and I shall lose no time in reaching it. Meanwhile I trust the business of my department will suffer no injury from my absence.

Before I go I will try to see that a good arrangement is made with regard to arms, stores, &c.

With true respect and affectionate attachment, &c.

P. S.—Poor Lenox has been on the torture so long, and has lately received such unpleasant accounts, that we have all advised him to return to Philadelphia. The substitutes devised will guard against injury to the service. Intelligence having been received of some of the insurgents having embodied about Beaver Creek—a plan is laid provisionally for giving them a stroke—the execution of which will be speedily attempted if nothing to the contrary occurs.

HAMILTON TO WASHINGTON.

TOWN OF WASHINGTON, November 15, 1794.

SIR:

I had the honor of writing to you three days since by Mr. Vaughan. Nothing material has since occurred except that a number of persons have been apprehended. Twenty of them are in confinement at this place; others have not yet arrived. Several of those in confinement are fit subjects for examples, and it is probable from the evidence already collected, and what

is expected, that enough for that purpose will be proved. The most conspicuous of these for character or crime, are understood to be the Rev. John Corbly, Colonel Crawford, Colonel John Hamilton, Thomas Sedgwick, David Lock, John Munn, John Laughery.

The evidence has not yet fixed the situation of Colonel Hamilton.

A warrant has been sent after Colonel Gaddis, of Fayette, another very fit subject; but, from the lapse of time, I fear he has escaped.

The bad spirit is evidently not subdued. Information is just received, that within the last three days a *pole* has been erected about sixteen and a half miles from this place, on the road to Muddy Creek; measures are taken on the subject.

But it is more and more apparent, that for some considerable time to come, a military force in this country is indispensable. I presume the temporary one meditated will be accomplished.

To-morrow I leave this place for Pittsburgh. If nothing extraordinary happens, I shall leave that place for Philadelphia on the 19th. By that time every thing will have taken its shape.

With true respect and affectionate attachment, I have the honor to be, &c.

HAMILTON TO WASHINGTON.

PITTSBURGH, November 17, 1794.

SIR:

I wrote to you two days since by express from Washington. The judiciary corps with myself arrived here last evening. The list of prisoners has been very considerably increassd, probably to the amount of one hundred and fifty, but it is not yet so digested as to be forwarded. Governor Lee just informs me, that he has received a letter from Marietta, advising him of the apprehending of John Holcroff, the reputed *Tom the Tinker*, and one Wright, a notorious offender.

Subsequent intelligence shows that there is no regular assemblage of the fugitives where it is supposed; there are only small vagrant parties in that quarter, affording no point of attack.

Every thing is urging on for the return of the troops. The engagement of a corps to remain here goes on, it is said, well.

With perfect respect and true attachment, I have the honor to be, &c.

JAY TO HAMILTON.

LONDON, 19th November, 1794.

MY DEAR SIR:

My task is done; whether finis *coronat* opus, the President, Senate, and public, will decide. This letter goes by the packet, and the treaty with it. Some parts of it require elucidation to common readers. I have not time for comment. Lord Grenville is anxious to dismiss the packet. If this treaty fails, I despair of another. If satisfactory, care should be taken that public opinion be not misled respecting it; for this reason the sooner it is ratified and published, the better. I really think the good disposition of this country should be cherished. I came here in the moment of exultation and triumph on account of Lord Howe's victory; from that day to this, I have experienced no change in sentiment or conduct relative to the negotiation. I must, though not without reluctance, conclude. Not being fit for a winter's voyage, I shall stay here till spring; indeed I shall want repairs before I am quite fit for any voyage. God bless you.

Yours, JOHN JAY.

HAMILTON TO WASHINGTON.

PITTSBURGH, November 19th, 1794.
7 o'clock in the morning.

SIR:

I wrote you the day before yesterday, by express. Nothing material remains to be said. The army is, generally, in motion homeward—the Virginia line, by way of Morgantown, to Winchester, &c.—the Maryland line, by way of Uniontown, to Williamsport, &c.—the Pennsylvania and New Jersey, by the old Pennsylvania route, to Bedford. The judiciary is industrious in prosecuting the examinations of prisoners—among whom, there is a sufficient number of proper ones for examples, and with sufficient evidence. Col. Gaddis has been brought in.

With perfect respect, and true attachment, I have the honor, &c.

P. S. In five minutes I set out for Philadelphia.

HAMILTON TO WASHINGTON.

PHILADELPHIA, December 1st, 1794.

SIR:

I have the honor to inform you, that I have fixed upon the last of January next as the day for the resignation of my office of Secretary of the Treasury. I make the communication now, that there may be time to mature such an arrangement as shall appear to you proper to meet the vacancy when it occurs.

With perfect respect, and the truest attachment,

I have the honor to be, Sir,
Your very obd't serv't, &c.

HAMILTON TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

PHILADELPHIA, December 1st, 1794.

SIR:

I beg leave, through you, to make known to the House of Representatives, that I have signified to the President of the United States my intention to resign my office of Secretary of the Treasury on the last day of January next. I make this communication, in order that an opportunity may be given, previous to that event, to institute any further proceeding which may be contemplated, if any there be, in consequence of the inquiry, during the last session, into the state of this Department.

With perfect respect, &c.

HAMILTON TO WASHINGTON.

December 2d, 1794.

The Secretary of the Treasury has the honor respectfully to make the following representation to the President of the United States, in order that he may determine on the expediency of laying the subject of it before Congress.

The procuring of military supplies generally is, with great propriety, vested by law in the Department of the Treasury. That department, from situation, may be expected to feel a more habitual solicitude for economy than any other, and to possess more means of information respecting the best modes of obtaining supplies.

It is, however, important, that the particular arrangement should be such as to enable the department to execute the trust in the best manner. This branch of business forms a very considerable one of the public expenditure. Including supplies for the navy, it is so extensive as, to be well executed, would occupy the whole time and attention of one person, possessing the requi-

site qualifications. This, with the growth of the country, must be every year more and more the case. It cannot, therefore, be conducted in detail by the head of the department, or by any existing officer of it, now charged with other duties, and without being less well executed than it ought to be, or interfering with other essential duties, or without a portion of both these inconveniences, to the material detriment of the public service. Experience has already verified the position.

It must then, of necessity, either be confided to a special agent, employed by the head of the department, or to a new officer of the department, to be constituted by law, and to act under the discretion and superintendence of that head. The last mode is preferable to the first, for obvious reasons.

Whenever an object of public business is likely to be permanent, it is more fit that it should be transacted by an officer of the government, regularly constituted, than by the agent of a department, specially intrusted.

The officer can be placed, by law, under more effectual checks. In the present case, that idea is particularly important. The person intrusted ought to be prohibited, under penalties, from all dealing, on his own account, in the objects of supply.

The duration and emoluments of mere agency being precarious, a well qualified man, disposed to make the necessary sacrifices of other pursuits, and to devote himself exclusively to the business, could with much greater difficulty, if at all, be found.

The compensation to such an officer ought, it is conceived, to weigh nothing as an objection. Independent of the equivalent expense, arising from the necessity of employing and compensating an agent, it is morally certain that the close, constant, undivided attention of a person, charged exclusively with this object, and in condition, for that reason, to make the minute as well as extensive inquiries and investigations which are often requisite, would produce savings to the United States with which the salary of the officer could bear no comparison. It is equally evident that it would contribute greatly to punctuality, dispatch, and efficiency, in procuring the supplies.

All which is humbly submitted.

A. HAMILTON.

J. Q. ADAMS TO HAMILTON.

THE HAGUE, Dec. 5th, 1794.

SIR:

The bankers of the United States at Amsterdam have written to you upon the present state of affairs, in this country, which would in their opinion render the negotiation for eight hundred thousand dollars, for which they have been commissioned, altogether impracticable, even if they had received from Col. Humphreys the information for which they are instructed to wait.

Under these circumstances, therefore, I find myself deprived not only of the happiness of contributing to the success, but even of the satisfaction of making all the exertions in my power for the attainment of an object so near to the wishes of the President and so important to the interests of the United States. As the contingency upon which the loan was at any rate to be attempted has not happened, it would have been perfectly unnecessary to dispute the opinion of the commissioners. As the management of this business has been committed to them entirely, it would have been improper. As their means of information upon this point are so much superior to mine, it would have been indecorous. I have therefore only observed to them that the object to which the money was intended to be applied, was of extreme urgency and importance; and that I hoped they would take advantage of the first favorable moment that should offer to make their dispositions so as to be prepared for the receipt of the order from Lisbon.

The zeal and fidelity with which these gentlemen have served the United States from the time they were first interested in their affairs, has been so thoroughly tried and proved that it will certainly not be deficient on the present occasion. Their personal interest will also concur with their public duty to animate their activity if they see a possible chance of succeeding. So that when they tell me that the negotiation of the proposed loan would be *impracticable*, I cannot doubt but that the fact is really

so, and that with the whole latitude of powers given them as to the terms, they will not venture to undertake it.

It is with much pleasure however that I learn from them, and from many other quarters, that in point of credit here, the United States stand upon a higher footing than any other power. That their obligations at 4 per cent. with premium are ten per cent. above par; and their 5 per cents. at par: while those of the Emperor and of Russia are vibrating rom 75 to 90, and some others bear no price at all.

By the capture of Antwerp, a difficulty has occurred upon which the gentlemen at Amsterdam have no doubt already written you. The annual interest upon the loan made there of three millions of florins, is by the tenor of the obligations made payable at the counting-house of Mr. De Wolff, and the bankers here have annually remitted the money to Antwerp for the purpose. As the circulation of assignats is compulsive, the Brabanters, holders of the American obligations, are apprehensive of receiving their interest in that currency, and our bankers have not transmitted the money for the interest that becomes due for the last year. It may be added, that many of these creditors are now emigrants, and may possibly have other apprehensions for the fate of the principal as well as of the interest. One of them called upon me at Amsterdam last week, to inquire whether I could give him any relief. I told him that I had neither instructions nor power relating to that loan, but would readily transmit any representation he wished to make, and I did not doubt but the United States would do their creditors full justice. He said an expedient had already been adopted by the court of Denmark upon the same occasion, which had been satisfactory to their creditors, in their Brabant loans, and which, if equally adopted by the United States, would very much accommodate him and many others in the same predicament. It was to declare that the holders of their obligations might receive their interest at Copenhagen instead of Antwerp, and that they might exchange the obligations themselves for others bearing the same interest.

The communication between Antwerp and this country is interrupted, and I do not know whether Mr. De Wolff has paid

the interest due upon the loan this year. The money for the purpose has certainly not been remitted from hence. I hope before the revolution of another year some settled order of things will take place, which will render any measures on the part of the United States in favor of their Netherland creditors unnecessary. I suspect that the impossibility of obtaining the two million guilders here must arise altogether from the dread of confiscation or requisition to which they imagine their obligations may be liable.

I have the honor to be, with the highest sentiments of respect,

Sir, your very obedient, humble servant,

JOHN Q. ADAMS.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, Dec. 23, 1794.

SIR:

The present state and prospects of the Treasury render it necessary, without delay, to exercise the power vested in the President by the act passed the 18th instant, entitled "An act authorizing a loan of two millions of dollars."

To enable him to determine this, a probable view of receipts and expenditures distributed quarter-yearly is herewith presented, and the form of a power as usual to the Secretary of the Treasury to make the loan is submitted.

With perfect respect, &c.

PROCLAMATION.

Draft by Hamilton.

UNITED STATES, January 1, 1795.

By George Washington, President of the United States.

When we review the calamities which afflict so many other nations, and trouble the sources of individual quiet, security, and happiness, the present condition of the United States affords much matter of consolation and satisfaction.

Our exemption hitherto from the evils of foreign war, an increasing prospect of the continuance of that precious exemption, the great degree of internal tranquillity we have enjoyed, the recent confirmation of that tranquillity by the suppression of an insurrection which so wantonly threatened it; the happy course of our public affairs in general; the unexampled prosperity of all classes of our citizens; are circumstances which mark our situation with peculiar indications of the Divine beneficence towards us.

In such a state of things, it is in an especial manner our duty as a people, with devout reverence and affectionate gratitude, to acknowledge our many and great obligations to Almighty God, and to implore Him to continue and confirm the blessings we experience.

Deeply penetrated with this sentiment, I, George Washington, President of the United States, do recommend to all religious societies and denominations, and to all persons whomsoever in the United States, to set apart and observe Thursday, the 19th day of February next, as a day of public thanksgiving and prayer, and on that day to meet together and render their sincere and hearty thanks to the great Ruler of nations, for the manifold and signal mercies which distinguish our lot as a nation, particularly for the constitutions of government which unite, and by their union establish liberty with order for the preservation of our peace, FOREIGN and DOMESTIC, for the seasonable check which has been given to a spirit of disorder, in the suppression

of the late insurrection, and generally, for the prosperous course of our affairs, public and private; and at the same time humbly and fervently to beseech the *kind Author* of these blessings graciously to prolong them to us; to imprint in our hearts a deep and solemn sense of our obligations for them; to teach us rightly to estimate their immense value; to preserve us from the wantonness of prosperity from jeopardizing the advantages we enjoy, by culpable or delusive projects; to dispose us to merit the continuance of His favors by not abusing them, by our gratitude for them, and by a correspondent conduct as citizens and as men to render this country more and more a safe and propitious asylum for the unfortunate of other countries; to extend among them true and useful knowledge; to diffuse and establish habits of sobriety, order, morality, and piety: and finally, to impart all the blessings we possess or ask for ourselves, to the whole family of Mankind, that so men may be happy and God glorified throughout the earth. Done, &c.

WASHINGTON TO CONGRESS.

UNITED STATES, January 7, 1795.

Gentlemen of the Senate, and of the House of Representatives.

Experience has shown that it would be useful to have an officer particularly charged, under the direction of the Department of War, with the duties of receiving, safe keeping, and distributing the public supplies, in all cases in which the laws and the course of service do not devolve them upon other officers; and also with that of superintending in all cases the issues in detail of supplies, with power, for that purpose, to bring to account all persons intrusted to make such issues, in relation thereto.

An establishment of this nature, by securing a regular and punctual accountability for the issues of public supplies, would be a great guard against abuse, would tend to insure their due application, and to give public satisfaction on that point.

I therefore recommend to the consideration of Congress, the expediency of an establishment of this nature, under such regulations as shall appear to them advisable.

G. WASHINGTON.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, Jan. 12th, 1795.

SIR:

For a considerable time past the Commissioner of Loans for New-York, has labored under a degree of bodily infirmity, little suited to the arduous duties of his station. A belief that his demise would speedily have terminated the embarrassment, united with other considerations, has hitherto prevented me from officially representing his situation to you, and the possible inconvenience to the public service from it. Hitherto nothing has materially suffered. But some new shocks of his complaint have added to his inability, and the disease being of the paralytic kind, there is no prospect of any considerable amendment.

Fearing that the public service may henceforth suffer, and unwilling to leave to my successor a disagreeable task, I feel it a duty, though with extreme regret and reluctance, to state to you that the officer in question is now incapable of doing justice to the duties of his station; that there is no prospect of his restoration to a competent condition, and that in my opinion it is indispensable he should be changed with all convenient dispatch.

With perfect respect, &c.

HAMILTON TO WASHINGTON.

January 14th, 1795.

Mr. Hamilton presents his respects to the President. He has written the letter to Mr. Clarkson, which the President desired,

and which, if not countermanded, will go by post. But, in the course of writing it, the following reflection has pressed upon his mind with so much force that he thinks it his duty to submit it to the President.

Clarkson held the office of marshal, a troublesome and unprofitable place. He resigned it (as it is believed) in a short time. Giles has taken and kept it for a considerable time, and during a period when disagreeable things were to be done, no doubt looking forward to something better. Clarkson is a man of considerably better fortune, and smaller family than Giles. Giles is as capable and trustworthy as Clarkson. Will he not have some cause to be dissatisfied if he sees an opportunity of doing something for him turn to the benefit of his predecessor?

No answer is expected unless the President should change his view of the subject.

CLARKSON TO HAMILTON.

NEW-YORK, January 19th, 1795.

MY DEAR SIR:

Your letter of the 15th instant met me last Saturday at this place on my return from Poughkeepsie. The offer of the office of Commissioner of Loans by the President of the United States, demands my warmest acknowledgments and meets my wishes ..... provided the appointment can be deferred until the 27th instant. To you, sir, I will detail my reasons for wishing a postponement of it till that period. Being a member of the legislature for this State, and the appointment of Senator of the United States being fixed by law to the 27th instant, I conceive it of the utmost importance that the gentleman who has so faithfully served his country in that station should be re-elected. The acceptance of the office previous to that day, would vacate my seat in the Senate, and I have reason to believe, as relative to that business, it is of consequence that I should remain in the legislature. Indeed, sir, I consider it of so much importance, that

however desirous I may be of the office which the President has thought proper to offer me, I must not hesitate to say that if a new appointment presses, so as to preclude the postponement of it to the period mentioned in my letter, I consider it my duty to sacrifice my own good to what I conceive for the good of my country, and to decline the appointment. In either case, sir, be pleased to tender my best acknowledgments to the President for this mark of his confidence, which, under his administration, is rendered peculiarly valuable; and accept for yourself the best wishes of one who, with real esteem, has the honor of being your obliged friend and very humble servant.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, January 21, 1795.

SIR:

Pursuant to the 13th section of the act, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," passed the 5th of June, 1794, the commissioner of the revenue, in consultation with me, has prepared a plan for additional compensations to the supervisors and other officers of inspection, and for compensations to such new officers of these descriptions as result from the laws, and as the experience which has been had of their operation is believed to recommend; which plan, thrown into the usual form of an act of the President, is now submitted to his consideration, with estimates of the resulting expense, which, it is not doubted, will be found within the limits of the laws.

This plan has been delayed longer than was desirable, by the necessity of previous information from the supervisors, and by an excess of occupation on the officers in this department, which unavoidably postpones the less to the more urgent objects of public business.

It may happen that the President, after considering the plan, may desire some further explanation. For this purpose, I will wait upon him on Monday next, 12 o'clock.

With perfect respect, &c.

HAMILTON TO WILLINK, ETC.

TREASURY DEPARTMENT, January 25th, 1795.

GENTLEMEN:

I acknowledge the receipt of your letters of the first and twenty-sixth of September of the last year.

Remittances from this country to Amsterdam, at the present juncture, and with the anticipations here of your possible situation, are attended with unusual difficulty and embarrassment. After maturely considering all the modes which occurred to reflection, for effecting the payments of principal and interest on the first of June next, I have concluded on the following:

To purchase 500,000 dollars of 6 per cent. stock, to transfer them into your names, and to send them to our Minister Plenipotentiary in London, to wait your orders, to the end that you may cause them to be disposed of as, according to circumstances, shall appear to you advisable. Measures have been taken for this purpose. The numbers and particular amounts of the certificates of stock, are noted at foot. They will be forwarded in duplicates.

You will concert, with our Minister resident in Holland, the best mode of disposing of this stock; and if the market of London be preferable, you will forward there the necessary powers and directions for sale of so much as it shall be concluded to sell, according to eventual circumstances.

If the stock can be sold, so as to net par for principal and *interest to the time of sale*, this will be the most agreeable mode of proceeding. By par, I mean 40 current guilders at Amsterdam, or 4 shillings and 6 pence sterling, at London, per dollar; pre-

ferring, of course, the sale at one place or the other, as the state of exchange may render most for the interest of the United States, if events of war do not overrule this consideration.

If this cannot be done, it will be preferred, if practicable, that the instalment of one million of principal should be postponed by a new loan, as on a former occasion; in which case, the interest only will be to be provided for by sale of so much stock as may be necessary.

On this, as on all other occasions, I confide in your judgment and tried zeal for the interest of the United States. I am sure I rest on a good foundation to the utmost extent of possibility.

With great consideration and esteem,

I have the honor to be, gentlemen, your obd't serv't.

P. S. It is possible our Minister, Mr. Pinckney, may have left London, temporarily, for Madrid. In that case, his secretary will become possessed of my letter and directions to him, and will receive your communication.

Description of the stock mentioned in the foregoing letter, viz.:

One hundred certificates of 6 per cent. stock, No. 2911 to 3010, both numbers inclusive, dated the 31st January, 1795, and of five thousand dollars each, issued in the names of Wilhelm and Jan Willink, and Nicholas and Jacob Van Staphorst and Hubbard, agents for the United States at Amsterdam.

HAMILTON TO WASHINGTON.

PHILADELPHIA, January 26th, 1795.

SIR:

Mr. Wolcott has just informed me that the Secretary of State had called upon him as by your direction, to confer on the

subject of a person to be appointed comptroller, in the event of his appointment as Secretary of the Treasury; and intimated that you had concluded to take some gentleman from the south; that Mr. Habersham (brother of the collector of Savanah) was more particularly in your eye, and that if he or I had any different view of the subject, it was your wish that it might be speedily communicated, as you were desirous of coming to a conclusion.

This I accordingly feel it my duty to do.

It is of the greatest importance to the proper conducting the business of the Treasury Department that the comptroller should be a man of the following discription: of strong sense, of clear discernment, sound judgment, indefatigable industry, firmness and prompt decision of temper; possessing a comprehensive knowledge of accounts, and of course good principles.

As well from the nature of the office as from the particular situation of the department, as it will stand at the moment of my resignation, it is of peculiar consequence that there should be no mistake in the selection of the proper character for comptroller. It will be easy for the department to run into disorder if such a mistake should happen.

From all the light I have been able to obtain on the subject, though it results in a favorable impression of Mr. Habersham generally, yet it leaves a considerable doubt on my mind that he would be an eligible appointment as comptroller of the Treasury. I cannot, therefore, add my opinion to the rest of the opinions which may favor it.

There is one gentleman south, whom I have before mentioned, of whose fitness in every respect, from trial of him in different public situations, it appears to me impossible to entertain a doubt—I mean Colonel Edward Carrington. I will pledge my reputation to the President for his proving, if appointed, an excellent comptroller, and a valuable acquisition to the department.

I have fully reflected on the objection which, from the distributive geographical rule, is supposed to be against him—and I beg leave to submit, as my opinion, that it ought not to be conclusive. This rule is doubtless a good one; but if carried so far as to hazard the appointment of unqualified persons to offices

of material importance to the general administration of the government, it will become a bad one, *sacrificing* primary to secondary considerations.

I have offered my opinion with the less reserve, because I ought to be explicit, in a case not only of much moment to the public service, but where the arrangements which may be made may, naturally from *situation*, be presumed to have had the concurrence of my opinion, and where, therefore, my reputation is more particularly concerned.

With perfect respect, &c.

HAMILTON TO WASHINGTON.

January 31, 1795.

SIR:

I have the honor to send you the copy of a letter of the 27th instant, from the collector of Philadelphia; of another letter of the 30th ultimo, from that officer, to the attorney of the district of Pennsylvania, and of a deposition of Charles Homes, taken before Judge Peters.

These documents establish an improper attempt of Mr. Petri, the French Consul, to evade a law of the United States, and allow a suspicion of the privity of a higher official character. It is impossible to avoid the reflection that there is too much connection between the affair of the powder and the unlawful equipment of the privateer Les Jumeaux. I fear that agents of France have not ceased to countenance proceedings which not only contravene our neutrality, but may prove a source of very serious expense to the United States.

With perfect respect, I have the honor to be, &c.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, Jan. 31, 1795.

SIR:

Previous to the leaving my present office, there are a few points which I think it my duty to bring under the consideration of the President.

The first regards the present state and arrangement of the mint.

It is certain that this establishment is capable of producing very important benefits to the community. At this moment, when an unusually large and sudden exportation of silver has produced a very inconvenient scarcity of that species of money, the full activity of the mint would be of primary utility. Large quantities of silver lie in the banks and other places in ingots, which, if turned into coin, would be of the greatest advantage to trade, and to all pecuniary operations public and private.

Hitherto the mint has comparatively done nothing. This is matter both of surprise and complaint with all that part of the community whose dissatisfactions are the less known, because they are not lightly promulgated. The institution itself, by not fulfilling the public expectation, grows into discredit, and those who have had the principal agency in its establishment are wounded by a growing disrepute, which is attributable truly to an insufficient execution. The President probably knows better than I do, what have been the causes of the deficiency. They may afford a justification; but, uninformed as I am, I cannot help thinking that with due exertion the business of the mint might have been far more matured, and its present powers of action far greater than they are. And I am led to fear that as long as it continues under its present management the public expectation will be disappointed. The director, though a most respectable and excellent man, can hardly be expected on several accounts to give that close and undivided attention to it, which in its first stages is indispensable.

There is another point in relation to the same subject, on

which I should have been silent as long as I could have been supposed to have any personal motive to influence my opinion. But now that this is at an end, I yield without hesitation to my convictions of the public interest, in presenting with the greatest deference those convictions to the consideration of the President. They amount to this, that the mint establishment will be most advantageously for the service of the United States placed under the superintendence of the department of the Treasury.

It is obvious that that establishment forms a most material link in the money system of the country. This system, as it regards public operations, is in the management of the department of the Treasury. It follows, that in the theory of the case, there is an intimate relation between this department and that establishment.

The law constituting the mint, also establishes some relations between them.

The fifth section refers to the judgment of the Secretary of the Treasury, the competency of the sureties to be given by the officers of the mint.

The fourteenth section, providing for the exchange of the bullion for money, with the deduction of one-half per cent., towards defraying the expenses of the mint, makes it the duty of the Secretary of the Treasury to furnish the mint from time to time, whenever the state of the Treasury will admit of it, with such sums as may be necessary for effecting those exchanges. To engage the Secretary to dispossess the Treasury with confidence of large sums for such exchanges, it is necessary that he should be very certain of their regular and punctual return. The assurance of this would be not a little strengthened by that intimate knowledge of situation which would result from the duty of superintending. The efficient operation of this provision is of no small consequence to the economy of the establishment. Hitherto its situation has been such as to preclude absolutely the effect of it.

Moreover, the Secretary of the Treasury, called daily and habitually, to observe the progress of money transactions, awake to every thing which can affect them well or ill, because the credit

of his department depends upon it, must be more likely than any other officer, to feel a due sensibility to the efficient and proper course of the mint, and consequently to exert himself to give it such a course.

The Post Office, on the other hand, if the idea which has repeatedly appeared in Congress be adhered to, that of rendering it an instrument of the improvement of the public roads instead of a means of revenue, may without inconvenience be placed under the department of State, while the mint establishment is transferred to the Treasury.

These observations proceed on the supposition that the President has adopted in principle and practice, the plan of distributing all the particular branches of the public service, except that of the law, among the three great departments; a plan which is believed to be founded on good reasons.

Another point, to which I would invite the attention of the President, is the scheme of mounted volunteers, as established in the law, and as it has operated in practice.

The expense of it is enormous, and from the nature of the thing, has a tendency to continue so. Though the compensation of a dollar per man is not fixed absolutely, but as a limit not to be exceeded, the effect is, that extent of the sum is *expected*, and that from this expectation, the men could not probably be obtained for less. The Executive, too, in an emergent service, will never be willing to incur the responsibility of failing by a restriction of the sum, and thus the ultimatum becomes the ordinary rule.

It will be happy if a revision of the measures for defensive protection should issue in a conviction, that the number of volunteer horse can be reduced by a substitution of infantry. It is imagined that on calculation it would appear, that a more than proportional increase of infantry would cost less.

In the last place, I beg leave to submit an impression, that advantages would accrue, in the view of economy at least, if the agents for Indian affairs, in the Southwestern and Northwestern Territories, were distinct from the Governors. These might still retain the political direction of affairs, and there would result a check in the business of supplies.

HAMILTON TO WILLINK, ETC.

TREASURY DEPARTMENT, Jan. 31, 1795.

GENTLEMEN:

It is probable that before this reaches you, you will have heard of my determination to resign my office of Secretary of the Treasury as on this day. The event will accordingly take place.

I could not permit myself to renounce my official situation without placing among my last acts the expression of the high sense I continue to entertain of the fidelity and ability with which you have uniformly served the United States. This testimony is due to you, and it is with great pleasure I give it.

The gentleman whom the President has determined to nominate as my successor, and who will be no doubt appointed, is Oliver Wolcott, Esquire, the present Comptroller of the Treasury. I do him no more than justice by assuring you, that he is a gentleman of undoubted intelligence, probity, and good principles with regard to public credit. The confidence of yourselves and your countrymen may be safely reposed in him.

With sincere wishes for your future welfare, and with increased consideration and esteem,

I am, gentlemen, your most obedient servant,

ALEX. HAMILTON.

Messrs. WILHELM & J. WILLINK, and
NICHOLAS & J. VAN STAPHORST & HUBBARD.

HAMILTON TO WASHINGTON.

TREASURY DEPARTMENT, Jan. 31, 1795.

SIR:

Agreeably to the intimation heretofore given, I have the honor now to tender you my resignation of the office of Secreta-

ry of the Treasury, and to be with sincere respect and affectionate attachment, Sir,

Your most obedient and humble servant, &c.

The President of the United States.

WASHINGTON TO HAMILTON.

SUNDAY, 1st February, 1795.

DEAR SIR:

I received the inclosed letter, with the document therein, last night.

For reasons which will appear obvious, I make you acquainted with the contents of them—being yours,

G. WASHINGTON.

Endorsement on this letter by A. H.—

This covered a letter from Mr. Coxe, of the 31st January, 1795, containing a charge against Mr. Wolcott, for my having committed to him, and he having exercised, the duties of Secretary of the Treasury in my absence on the western expedition.

A. H.

WASHINGTON TO HAMILTON.

PHILADELPHIA, Feb. 2. 1795.

DEAR SIR:

After so long an experience of your public services, I am naturally led, at this moment of your departure from office—which it has always been my wish to prevent—to review them.

In every relation, which you have borne to me, I have found that my confidence in your talents, exertions and integrity, has been well placed.

I the more freely render this testimony of my approbation, because I speak from opportunities of information which cannot deceive me, and which furnish satisfactory proof of your title to public regard.

My most earnest wishes for your happiness will attend you in your retirement, and you may assure yourself of the sincere esteem, regard and friendship of

Dear Sir,

Your affectionate

G. WASHINGTON.

ALEXANDER HAMILTON, Esq.

HAMILTON TO WASHINGTON.

PHILADELPHIA, February 3d, 1795.

SIR:

My particular acknowledgments are due for your very kind letter of yesterday. As often as I may recall the vexations I have endured, your approbation will be a great and precious consolation.

It was not without a struggle that I yielded to the very urgent motives which impelled me to relinquish a station in which I could hope to be in any degree instrumental in promoting the success of an administration under your direction, a struggle which would have been far greater, had I supposed that the prospect of future usefulness was proportioned to the sacrifices to be made.

Whatsoever may be my destination hereafter, I entreat you to be persuaded (not the less for my having been sparing in professions) that I shall never cease to render a just tribute to those eminent and excellent qualities which have been already productive of so many blessings to your country; that you will always have my fervent wishes for your public and personal felicity, and that it will be my pride to cultivate a continuance of that esteem, regard, and friendship, of which you do me the

honor to assure me. With true respect and affectionate attachment,

I have the honor to be,

Sir, your obliged, and ob't servant,

A. HAMILTON.

The PRESIDENT OF THE UNITED STATES.

WILLING TO HAMILTON.

BANK UNITED STATES, Feb. 3d, 1795.

SIR:

The President and Directors of the Bank of the United States acknowledge the receipt of your letter of the 31st ult., and feel with peculiar sensibility the notification of your resignation; with sincerity they offer their best wishes, that you may be as happy in private, as your administration has rendered you useful in public life.

They recollected, with extreme satisfaction, the liberal and enlightened principles on which you have conducted the great and various operations of your department with this institution: such as tend to cement a connection which it is their mutual interest to maintain, and which can only be permanent whilst founded on reciprocal advantage.

It must be to you a source of the most pleasing sensations to reflect on the extensive utility of an institution which you had such an essential agency in organizing, which has been strikingly evident as well in the aid it has afforded to the fiscal administration, as in the important support it has given to public and private credit.

They will again recur to the consideration of the propriety of establishing a branch in Virginia, and if it should appear that the advantages that will result therefrom, will supersede the obstacles and inconveniences that have hitherto retarded the operation, they will not hesitate in carrying it into prompt effect. In discussing the subject, the arguments which you have suggest-

ed, and which have been derived from experience, will have their due weight in influencing their determination. They anticipate with confidence, in the person who is contemplated by the President as your successor, the possession of those qualities which will lay claim to every facility and support, which an attention to the interests of their constituents, combined with a wish to promote the public service, will enable the President and Directors to afford.

In behalf of the President and Directors of the Bank of the United States.

HAMILTON TO WASHINGTON.

PHILADELPHIA, February 4th, 1795.

SIR:

The circumstance of having offered my late report to Congress to the two Houses, which rendered two copies necessary, and the extreme press of business in the office, in preparing for my resignation, prevented my sending you a manuscript copy of that report.

I have now corrected a printed copy for you, which I have the honor to send herewith.

With true respect and attachment, &c.

HAMILTON TO WASHINGTON.

(PRIVATE.)

PHILADELPHIA, February 12th, 1795.

SIR:

I have maturely reflected on the subject of the within papers. I do not hesitate to give it as my opinion, that if it were not for

very peculiar *personal* circumstances, the fittest arrangement, upon the whole, would be to consign the temporary execution of the comptroller's office to the commissioner of the revenue. But I could not advise this, because it could not fail, for strong reasons, to be unpleasant to Mr. Wolcott, and because there is real danger that Mr. Coxe would first perplex and embarrass, and afterwards misrepresent and calumniate.

The treasurer would by no means answer; because, as the *keeper of the money*, it is particularly essential that all the checks upon him should be maintained in full vigor; and the comptroller is the officer who, in the the last resort, *settles* his accounts as well as concurs, in the first instance, in *authorizing*, by the warrants which are issued by the secretary, and countersigned by the comptroller, the payments and receipts of the treasurer.

The register is also one of the principal checks of the *department;* first, upon the secretary and comptroller, whose warrants he must register and sign, before they can take effect; and, secondly, upon the settlements of the comptroller and auditor, by recording their acts, and entering them on the books to the proper accounts.

Of any of the officers of the department, except the commissioner of the revenue, the business can be best managed through the auditor, consistently with the preservation of the most material checks, with the restriction I mentioned this morning, *of his not deciding, as comptroller, upon any account he may have settled as auditor.* The temporary suspension of the final conclusion of the accounts—all the previous examinations going on—cannot be attended with any serious inconvenience. If the laws admit of it (which I doubt, as they now stand), the appointment of the auditor's first clerk to act as auditor in his stead will be a conveniency. I do not think this would be liable to the same objections as the appointing a clerk to act as comptroller, whose office imports the second trust in the department. In one sense, to appoint the auditor to act as comptroller will comport best with the spirit of the constitution of the department. This is, that *the officer who is to settle* the accounts, by countersigning the warrants for *receipts* and payments, shall have an opportunity to

observe their conformity with the course of business, as it appears in the accounts; and shall have notice, in the first instance, of all payments and receipts, in order to the bringing all persons to account for public moneys. This reason operates to make the auditor, who is the coadjutor of the comptroller in settlements, his most fit substitute *in this particular view.*

On the whole, I am of opinion that it is most advisable to appoint the auditor.

A clerk, for reasons already mutually adverted to, does not appear to me expedient.

I have the honor to be, Sir,

Your affectionate and obedient servant,

A. HAMILTON.

P. S. The restriction above suggested, for greater caution, had best be in writing, in a letter to the Secretary of the Treasury. The instrument appears to me in proper form.

BIRD, SAVAGE AND BIRD, TO HAMILTON.

LONDON, February 23d, 1795.

SIR:

In your retreat from the office of Secretary of the United States, it can be of little moment to you to have any addition to the public and private testimonies you have received of the high opinion your country entertains of your distinguished integrity and abilities, which have been so successfully employed in restoring her public credit, and placing it on the most favorable footing to her future prosperity. We cannot, however, refuse ourselves the gratification of communicating to you the applause that the wisdom of your financial measures has procured from all persons in this country, where the subject is so well known and understood.

Joining in the general regret at your retreat, we beg leave to

offer you our best services, in whatever future walk of life you may fix on, and, with great respect, Sir,

Your most obedient servants,

BIRD, SAVAGE & BIRD.

COMMERCIAL RELATIONS.

OUTLINE OF SMITH'S SPEECH ON MADISON'S RESOLUTIONS OF JANUARY 3, 1794.

Draft by Hamilton.

January, 1794.

The table which is annexed takes the year 1790 as the proper period to show the commercial policy of France previous to the revolution just terminated. The notes accompanying that table explain the alterations which have since taken place. There is, however, no mention of the expiration of the time limited for the premium on French fish imported into the French colonies, which happened in 1790, because this makes no alteration in the general complexion of the policy of France in this particular. It is usual for greater caution to limit the duration of premiums to a certain period, even where it is supposed that a further continuation may be necessary, and if the premim in question has not been removed, it affords no proof of an intention to relinquish it, as the situation of France at the time of the cessation, and since, may be presumed to have precluded arrangements affecting the trade of the colonies.

If any have been made, it may be inferred from *Commères'* pamphlet, that though the duty on foreign fish has been reduced from three to five livres, the premium on French fish has been raised from ten to twelve, which makes the aggregate of duty and premium, operating as a bounty on French fish, the same as before, namely, fifteen livres.

General Observations.

1. The commercial system of Great Britain makes no discriminations to the *prejudice* of the United States as *compared* with other foreign powers.

There is therefore no ground for a complaint on the part of the United States, that the system of Great Britain is particularly *injurious* or *unfriendly* to them.

2. The commercial system of Great Britain makes important discriminations in favor of the United States as compared with other foreign nations. This is exemplified in the instance of tobacco, lumber, pot and pearl ash, tar and pitch, pig and bar iron, which, when carried from the United States to Great Britain, are either exempt from duties, which are paid on the same articles brought from other foreign countries, or pay so much less duty as to give them a clear advantage in the competition for the British market. Our vessels in the *direct trade* with Great Britain, are in various instances exempted from duties, which are paid by the ships of other nations, and in general are on the same footing in that trade with the vessels of the British colonies. Admission is also given to a variety of the commodities of the United States in the British West Indies, which is not given to similar commodities of other foreign countries.

There is therefore ground to assert, that the commercial system of Great Britain is more favorable and friendly to the United States than to other foreign countries.

3. The commercial system of France previous to the revolution, made fewer and less important discriminations in favor of the United States, as compared with other foreign nations, than that of Great Britain. In the West Indies our privileges were the same. The same commodities only, and upon the same terms, might be carried thither, and brought from thence from and to the Uuited States, which might be carried thither and brought from thence from and to other foreign nations. The discriminations in favor of the United States in direct trade with France, are not known to have extended beyond the articles of fish oils.

* * * * * *

and vessels of the built of the United States when *owned by French* subjects, which were admitted to naturalization, and so far promoted the building of ships as an article of trade with France. This last discrimination is now abolished, and no new ones have been made in our favor.

There is therefore ground to assert that the commercial system of France towards the United States as compared with other foreign nations, has been and now is less favorable and friendly than that of Great Britain.

Particular Observations.

I. As to flour. This article, previous to the revolution in France, was subject to but a very light duty on its importation there. At present it is free to all the world. But unless material changes take place in the state of France, the United States are likely to derive little benefit from this circumstance.

The ordinary price of flour in France is about $5 66 cents per barrel (of Pennsylvania).

In Pennsylvania it may be stated at upon an average; the freight to France is ; other charges amount to about , which would make the costs and charges of a barrel of American flour in France $6 33 cents; of course it cannot, except on extraordinary occasions, be sent there without loss.

In Great Britain it has been stated that flour was subject to a prohibitory duty till the price there was about 48 shillings the quarter. The flour of the United States can therefore only be carried occasionally to Great Britain as well as to France, but the occasions have hitherto been more frequent in Great Britain than in France.

Accordingly, in the course of the years 1786 and 1788, the whole quantity of flour sent from Pennsylvania to France amounted to 2396 barrels; that sent to Great Britain, to 828 barrels.

But the act of Parliament of the , puts this article upon a worse footing than heretofore, and experience only can decide, whether flour can be henceforth sent with most advantage to Great Britain or to France.

The quarter, however, which in relation to both nations, it most interests the United States to have access to, as a market for their flour, is the West India Islands. Here the comparison is decidedly in favor of Great Britain. The general system of France, is to prohibit the *reception* of our flour in her West India markets—that of Great Britain to *permit it.*

It is true, that occasional suspensions of the prohibition take place; but these suspensions being confined to *cases of necessity*, the system of France, *which excludes us as far as possible*, cannot on this account be viewed as less unfavorable to the United States, than if no such suspensions took place.

Flour appears to be the principal staple of the United States. This principal staple, is, upon the whole, more favored by the regulations of Great Britain than of France. Accordingly, in the year 1790, the exportations to the British dominions, amounted to $1,534,276; to the French dominions to $1,483,195. The comparison is the stronger in favor of Great Britain, from the circumstance, that this year was one of extreme scarcity in France. In ordinary years, the difference must be far greater.

II. As to tobacco. It may be presumed, that this is an article of such a nature, that it is immaterial to the United States, what duty is laid upon it in either of the two countries, if the same duties affect all other imported tobacco. 'Tis a case in which neither of the countries produces itself the article, to enter into competition with that of the United States. The duty, therefore, must essentially fall upon the buyers, not the sellers.

Previous to the French Revolution, there was no import duty in France, upon tobacco, but it was under a monopoly of the Farmers General; a situation far more disadvantageous to the United States, than any tolerable duty could be, by destroying a free competition among purchasers.

The decree of January, 1791, has laid a duty upon this article, if brought from the United States to France in American vessels, of 25 livres per kental; if brought in French ships, of only 18 livres and 15 sous. The tobacco of the United States has been, and is, upon no better footing, than that of some other foreign nations.

In Great Britain, as has been stated, a considerably higher duty is paid on *other* foreign tobacco, than on that of the United States; and it may be carried to Great Britain, in vessels of the United States, upon the same terms as in British bottoms, while the ships of other nations, bringing tobacco, are subjected to a greater duty on the tobacco which they bring than the ships of Great Britain.

Although, therefore, there is a higher duty on tobacco in Great Britain than in France; yet as in France the duty is the same on other foreign tobacco as on ours; as in Great Britain a higher duty is charged on other foreign tobacco than upon ours; as the comparative rate, not the quantum of the duty in either country, is the only thing which concerns us, it is evident that our tobacco is much more favored by Great Britain than by France. Indeed the difference of duty operates as a positive bounty upon the tobacco of the United States.

As it regards our navigation, the comparison is still more striking. Here, too, we are more favored by Great Britain than other countries; while the existing regulation of France is in the degree the most exceptionable to be found in the code of any country. It amounts to a prohibition of carrying our own tobacco to France in our own ships.

Several European nations have aimed at a monopoly of the carrying trade of their colonies, but the spirit has not extended to their home dominions. Slight differences have been made between foreign and national ships in favor of the latter; but a difference amounting to an exclusion of the former is perhaps without example, except in the regulation in question.

The principle of this regulation would prostrate the navigation of the United States more effectually than any which is to be found in the system of any other country.

Hence, in respect to the article of tobacco, the staple of the United States which may be deemed second in importance, the regulations of Great Britain are far more favorable than those of France.

Great Britain took from us in the year 1790, $2,777,808, while France took only $427,746.

Hence also it appears that Great Britain is a far better customer for the article than France.

III. As to fish and fish oil. The regulations of France as to these articles are incomparably more favorable in their operation than those of Great Britain, though there is no material difference in principle.

Great Britain lays a prohibitory duty on oil, which excludes all but the finest kinds occasionally, and absolutely prohibits fish.

France lays such duties on the fish and oil of other countries, and grants such premiums and encouragements in relation to the products of her own fisheries, as amount completely to a prohibition, so far as her capacity to supply her own dominions extends.

The duty on foreign fish in the French West Indies, and the premium on French fish, as stated in the table, amount virtually to a bounty on French fish of nearly 100 per cent. of the value. In France the duty alone is about 75 per cent., and it is understood that the premiums and bounties in favor of the French fisheries are enormous.

The distinctions, nevertheless, which have been made in favor of the whale fisheries of the United States have been of material aid to them; but there is reason to apprehend that the means which have been successfully used to detach our fishermen, and the vast encouragements which are given by the government, that the whale fishery of France is establishing itself on the ruins of that of the United States.

The cod fishery stands on a different footing. Our natural advantages are so great as to render it difficult to supplant us; but as far as we have been able to maintain, in this respect, a competition with the French fisheries in the French markets, it is to be attributed to their incapacity to supply themselves, which has counteracted the effect of a system manifestly prohibitory in its principle.

The real spirit of the system of France on this head, not only appears from what has been done, but from the manner of doing it.

In August, 1784, the arrêt giving admission to *foreign* fish in

the West India markets was passed. In September, 1785, another arrêt was passed, granting a premium of ten livres per kental on French fish. *Seven* days after, so great was the anxiety, another arrêt was passed raising the duty on foreign fish from *three* to *five* livres. An arrêt of the 29th of December, 1787, grants a right of *storing* for six months in France all the productions of the United States, in order to re-exportation, paying only a duty of one per cent. In February following, another arrêt passed, excepting from this right *all the products of the fisheries*, evidently from a jealousy of our interference with the French fisheries.

A further explanation of the spirit of the French system on this point, is to be found in the passage of a report to the National Assembly, in the year 1789, from the Committees of Agriculture and Commerce. After stating a diminution of the product of the French cod fishery, during the year 1789, the report proceeds thus: "This diminution ought to be attributed to the collusion of the English and free Americans who contrived to disappoint the French fisheries, by finding means to supply us with their fish, while they eluded the payment of the duty imposed on importation, *in order to establish a preference in favor of the cod of the French fishery.*

But however similar the *principle* of the French and English regulations may be, in regard to their fisheries, the result to the United States is vastly different.

The dominions of France take of the fisheries of the United States to the extent of $724,224; those of Great Britain to the extent only of $88,371.

IV. As to wood, particularly lumber. The regulations of France have not made, and do not make, any distinction as to the articles of this kind in favor of the United States.

Those of Great Britain make material distinctions in favor of the United States and their ships, putting the citizens and ships of the United States, in this respect, upon the same footing as those of their own colonies, as far as regards the European market.

Great Britain is also a much better customer than France for articles of this kind.

The amount in value taken from us by the dominions of the former in 1790 was $622,635; that of the latter, $476,039.

V. As to rice. This article has stood and now stands upon a better footing in France than in Great Britain, being free in the former country, and subject to a high duty in the latter. And there being no discrimination in either country in favor of the rice of the United States.

It is to be observed, however, that as the article is produced in neither country, and as the rice of the United States is on the same footing in the British market as that of other countries, the observation made in respect to the duty on tobacco may in some sort be applied to this article.

But it applies with far less force, because tobacco has no competitor, while rice, as far as it is a substitute for bread or vegetables, has competitors in all the articles which fall under either description.

This article, however, stands upon a somewhat better footing in the British than in the French West Indies, being free in the former, and subject to a duty of one per cent. in the latter. The difference, however, is not considerable.

The British dominions took in 1790 of this article, in value, $953,939; the French, $322,926.

VI. As to grain, namely, wheat, rye, Indian corn, oats. As they respect the European dominions of France and Great Britain, they may be considered nearly in the same light with flour.

All these articles are free in the British West Indies; wheat and rye are prohibited in the French; but Indian corn and oats are admitted upon a duty of one per cent. The result upon the whole is, that the English have been better customers than the French.

The British dominions took of these articles in the year 1790, in value, $685,071; the French, $280,792.

The act of Parliament of

is likely to make a difference hereafter in the British European market. According to that act
But experience alone can determine with certainty the effect.

VII. As to pot and pearlash. These articles have stood and still stand upon a better footing by the British regulations than by the French.

By the regulations of France, the pot and pearlash of other countries are upon the same footing with those of the United States.

By the regulations of Great Britain, those of the United States are free, while those of other countries are subject to a duty of about five per cent.

Great Britain, in 1790, took from the United States of these articles in value $747,078: France, $20,720.

VIII. As to indigo. This article (eighth in value of our exports) stands upon decidedly a better footing in the system of Great Britain than in that of the United States. France is herself our competitor in the supply of her own market, and she aims at securing to herself the monopoly of it, by adding to the advantage of a superior quality of her own indigo, as stated by the Secretary of State, the discouragement to ours of double the duty paid on her own. Great Britain admits the article into her home market free of duty. Both countries exclude it from their West India markets. Neither make any distinction for or against us. In 1790 Great Britain took of this article in value $479,530: France, $12,649.

IX. As to live animals. The regulations of both countries may be considered as pretty equal in respect to these articles; the duty of one per cent. paid in the French West Indies, while none is paid in the English, being of no consequence in relation to articles in which the French themselves can maintain no competition.

The dominions of France took in 1790 of these articles in value $352,795: those of Great Britain, $62,415.

X. As to naval stores, namely, pitch, tar, and turpentine, the regulations of Great Britain are more favorable than those of France; for though the duties are higher in the former than in the latter, yet France places these articles from all countries on the same footing, while England lays higher duties on them when brought from other countries, than when brought from the United States. The difference as remarked in other cases is a bounty upon the productions of the United States. The rate of duty here is of no consequence for the reason assigned in respect to tobacco. Great Britain, in 1790, took from us of these articles, $196,832: France, $7,366.

XI. As to salted provisions. The regulations of France as to these articles are evidently more favorable than those of Great Britain; being tolerated by the former, and prohibited by the latter.

The duties, however, are high, and even in respect to beef, are a serious incumbrance upon the sale with a living profit. In respect to pork, they amount essentially to a prohibition in France, which has great means of internal supply, and in the French West Indies the article is prohibited.

The dominions of France took of these articles in 1790, in value $318,454: those of Great Britain only $7,557.

XII. As to flax-seed. It does not appear that any difference exists in the regulations of the two countries in respect to this article, but Great Britain is by far the better customer. Her dominions took in value in 1790, $219,924: the French, $3,290.

XIII. As to iron. The regulations of Great Britain are more favorable to the United States in respect to this article, than those of France; for France admits the iron of other countries upon the same footing with that of the United States, and lays a small duty upon bar iron.

Great Britain admits the iron of the United States *free* from duty, and lays a considerable duty on the article brought from other countries.

Great Britain took from us of this article in to the amount of $196,832: France to the amount of $2,143.

XIV. As to ships built in the United States. The regulations of France did favor more the building of ships for sale than those of Great Britain; for ships built in the United States and purchased by the French, were capable of being naturalized in France. This distinction in our favor is now done away. In England ships built in the United States have been and are entitled to be recorded, and being recorded and owned by British subjects, enjoy the same privilege as British built ships in the trade between the United States and Great Britain.

A general distinction in favor of the United States runs through the regulations of Great Britain in this particular, that most articles of foreign countries brought in foreign ships, pay a higher duty than if brought in British ships; but not so of the same articles if brought in ships of the United States.

In the West India trade of France, the United States stand upon the same footing with other foreign nations—in one instance, perhaps, upon a worse, as it regards the operation of the thing—namely, as to salted beef, which *though foreign*, if brought from France in French ships, is exempted from the duty which is paid on the same article carried from the United States directly to the Islands. The proximity of Ireland to France seems to render this an advantage to her over the United States.

In the West India trade of Great Britain, the United States have the peculiar advantage of their commodities being introduced upon the same footing as if brought from the British dominions in America, except as to the article of carried in ships of the United States. Here is a distinction in favor of the United States.

Note.—Mr. Jefferson's table refers to an arrêt of 9th of May, 1789, as making certain alterations in the trade of the United States with the French West Indies.

But this arrêt (which is merely an ordinance of the Governor General of St. Domingo) is confined wholly to the *south* part of the Island of St. Domingo on very special reasons relative to the improvement of that particular spot, and with very severe restrictions to prevent an extension. It is no permanent part of the system of

France—no part of the general system of the West Indies, and is not known to have received the sanction of the king. It was, besides, passed at a moment of revolution.*

* This paper contains the outline of the speech of Wm. Smith on the Madison resolutions. It is incomplete—and the accuracy of the figures cannot be vouched for, as they were supplied by the editor from that speech to fill up the blanks. They are believed to be correct.

Comparative footing of the Commerce of the United States with the Domi

EXPORTS OF THE UNITED STATES. Arranged according to their respective importance.	FRANCE.					GREAT BRITAIN.				
		DISCRIMINATIONS.					DISCRIMINATIONS.			
		Favor of U. S.		Against U. S.			Favor of U. S.		Against U. S	
	FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign nations.	By lower duties on like articles of other foreign nations.	By admission of articles of other for. count. prohib. from U. S.	FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign nations.	By lower duties on like articles of other foreign nations.	By admission of articles of other foreign nations.
Bread Stuffs, say Flour	Duty 1s. 8d. p. ct., ad valorem	.....	.....	.....	.....	Prohib. duties, (*b*)	.....	.....	.....	....
Wheat	Do.	.....	.....	.....	.....	Do.	.....	.....	.....	....
Rye	Do.	.....	.....	.....	.....	Do.	.....	.....	.....	....
Indian Corn	Do.	.....	.....	.....	.....	Do.	.....	.....	.....	....
Oats	Do.	.....	.....	.....	.....	Do.	.....	.....	.....	....
Tobacco	No duty but under monopoly to the Farmers General	.....	.....	.....	.....	Duty 1s. 3d. p. lb. (*c*)	3s. 6d. per lb.	.....	.....	....
Rice	Duty 1s. 8d. per ct., ad val.	.....	.....	.....	.....	Duty 3s. 4d. p. ct..	cs. 10d. p.c. (*d*)	.....	.....	....
Wood	Duty 1s. 8d. per ct.	.....	.....	.....	.....	Free	high & fre. pro. duties.	.....	.....	..
Fisheries, viz: Salted Fish	Duty 8 livres per. kental (*a*)	.....	.....	.....	.....	Prohibited	.....	.....	.....	...
Fish Oil	Duty 7 liv. 10 sous per barrel of 500 lb. (*a*)	.....	prohibited.	.....	.....	Duty of 18s. 3d. per tun of 252 gal.	.....	.....	.....	...
Pot and Pearl Ash	1s. 8d. p. ct. ad val.	.....	.....	.....	.....	Free	2s. 3d. per ct.	.....	.....	...
Salted Meats, viz: Beef	Duty 5 liv. p. kental	.....	.....	.....	.....	Prohibited	.....	.....	.....	...
Pork	Duty 5 liv. p. kental in some ports, prohib. in others.	.....	.....	.....	.....	Prohibited	.....	.....	.....	...
Indigo	Duty 5 liv. p. kental	.....	.....	.....	.....	Free	.....	.....	.....	...
Live animals	.....	.....	.....	.....	.....	.....	.....	.....	.....	...
Flax-Seed	Duty 1s. 8d. per. ct. ad. val.	.....	.....	.....	.....	Free	.....	.....	.....	...
Naval Stores, viz: Tar and Pitch	Duty 2½d p. ct., ad val.	.....	.....	.....	.....	Duty 11s. per last..	12s. 4d. per ct.	.....	.....	...
Turpentine	Do.	.....	.....	.....	.....	Duty 2s. 3d. p. ct. int	12s. 9d. per ct.	.....	.....	...
Rosin	Do.	.....	.....	.....	.....	Duty 1s. 6d. do.	2s. 4d. per ct.	.....	.....	...
Iron	.....	.....	.....	.....	.....	.....	.....	.....	.....	...
Bar Iron	Do.	.....	.....	.....	.....	Free	56s. 2d 67s. 2 p.3	.....	.....	...
Pig Iron	Do.	.....	.....	.....	.....	Free	56s. 6 p.3	...	.....	...

In all cases where nothing is inserted in a column unde

...ns of France and Great Britain prior to the pending Revolution of France.

FRENCH WEST INDIES.					BRITISH WEST INDIES.					REMARKS.
	DISCRIMINATIONS.					DISCRIMINATIONS.				
	Favor of U. S.		Against U. S.			Favor of U. S.		Against U. S.		
FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign nations.	By lower duties on like articles of other for. coun. pro. from U. S.	By admission of articles of other foreign coun. prohib. from U. S.	FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign countries.	By lower duties on like articles of other foreign nations.	By admission of articles of other foreign coun. prohib. from U. S.	
Prohibited	.....	.....	.....	.....	Free	.....	Pro'd	.....	.....	(a) It is known (though data for stating them precisely are wanting), that high premiums on French fish co-operated with the high duty on ours to exclude us as far as possible, from the market of France.
1 per ct., ad val	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	(b) Great Britain has two scales of duties, one high the other low; the former prohibitory, the latter not so; but these last apply only when the price of the British article, by scarcity or extraordinary demands is particularly high, the rate was 48*s.* str. the quarter, but a late act has increased it. The same act gives a right of deposit or storing, without paying the high duties, with permission to export free from duties and with the option of waiting for the market price to arrive at the point at which the low duties take place. The same system essentially extends to other kinds of grain.)
Do.	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Do.	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Do.	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Prohibited	.....	.....	.....	.....	Free	.....	Do.	.....	.....	
Duty 1 p. ct., ad val	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Duty 1 p. ct., ad val	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Duty 5 liv. p. kent, with a bounty of 10 liv. on French fish	.....	.....	.....	.....	Prohibited	.....	.....	.....	.....	
Prohibited	.....	.....	.....	.....	Do.	.....	.....	.....	.....	
Prohibited	.....	.....	.....	.....	Do.	.....	.....	.....	.....	
1 p. ct. ad val., and 5 liv. p. kental	.....	.....	.....	.....	Do.	.....	.....	.....	.....	
	.....	.....	.....	.....	Do.	.....	.....	.....	.....	
Prohibited	.....	.....	.....	.....	Do.	.....	.....	.....	.....	(c) The rates mentioned in this and the adjoining column are sterling money.
Prohibited	.....	.....	.....	.....	Prohibited	.....	.....	.....	.....	
1 per ct. ad val	.....	.....	.....	.....	Free	.....	.....	.....	.....	
Prohibited	.....	.....	.....	.....	Prohibited	.....	.....	.....	.....	(d) These duties on several kinds of wood are as follows: Oak boards from 32*s* 10*d.* to 105*s.* 8*d.* the 120. Ditto planks, 19*s.* the 50 cubic ft. Ditto timber 9*s.* 11*d.* the 50 cubic feet. Deals from 53*s.* to 238*s.* the 120. Staves from 4*s.* to 17*s.* 6*d.* the 120. Timber generally 6*s.* 8*d.* the 50 cubic feet.
Duty 1 p. ct. ad val	.....	.....	.....	.....	Free	.....	Pro'd	.....	.....	
Do.	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
Do.	.....	.....	.....	.....	Do.	.....	Do.	.....	.....	
	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Prohibited	.....	.....	.....	.....	Prohibited	.....	.....	.....	.....	
Do.	.....	.....	.....	.....	Do.	.....	.....	.....	.....	

...ind "Discriminations"... is to be understood that there are none.

Comparative Footing of the Commerce of the United States with the Domi of France and Great Britain prior to the pending Revolution of France

IMPORTS FROM THE FRENCH AND ENGLISH WEST INDIES INTO THE UNITED STATES.	FRENCH WEST INDIES.					BRITISH WEST INDIES.				
		DISCRIMINATIONS.					DISCRIMINATIONS.			
		Favor of U. S.		Against U. S.			Favor of U. S.		Agains
	FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign nations.	By lower duties on like articles of other for. coun. pro. from U. S.	By admission of articles of other foreign coun. prohib. from U. S.	FOOTING.	By higher duties on like articles of other foreign nations.	By prohibited of like articles of other foreign nations.	By lower duties on like articles of other foreign nations.
							Pro. to other for. co. ex. spec., which is ob. in Eng		
Sugar	Prohibited								
Rum and Cassia	Duty 1 p. ct. ad val								
Molasses	Do.					Free from Grenada and Jamaica	Prohib. to be sent to other for. coun.		
Coffee	Prohibited					4½d p. ct. duty from other islands	Do.		
Cocoa	Do.						Do.		
Ginger	Do.						Do.		
Pimento	Do.						Do.		
Salt	Do.					May be brought from Turk's Island in vessels of the U. S., paying duty of 2s. 6d. str. per ton.			
Other productions	Do.					Prohibited			

Ships.—This article is to be viewed in a twofold light, as a saleable manufacture and as a vehicle to convey the productions of the country. The laws of France at the period to which this table refers, permitted vessels built in the United States when purchased and owned by French citizens to be naturalized, and thereby enjoy the privileges of French vessels. The laws of Great Britain did not permit the same. Our vessels owned by our own citizens in the trade between the United States and France, enjoyed the same privileges with the most favored nations, and not greater. In the trade between the United States and Great Britain, they enjoyed equal privileges with British bottoms, greater than the vessels of other foreign countries in the trade between those countries and Great Britain (certain productions of those countries being subject to higher duties when carried in their own than when carried in British bottoms, which was and is not the case in respect to vessels of the United States carrying their own productions). In the trade between the United States and the French West Indies, our vessels of sixty tons and under might carry thither and bring from thence

the articles permitted to be imported and exported—but other foreign vessels enjoyed the same privilege with ours. Between the United States and the British West Indies, our vessels could carry nothing except salt from Turk's Island.

The arrêt of the 29th of December, 1787, gave the citizens of the United States like privileges with French subjects in the Asiatic dominions of France. It is also understood that our citizens enjoyed useless privileges in the Asiatic dominions of Great Britain.

No notice is taken of the trade of exports from France and Great Britain to the United States, because the policy of each country was in that respect nearly similar and unexceptionable. The exceptions made from time to time by the French Colonial Government are not taken notice of—because they were exceptions from the general system of the mother country, founded on the necessity of particular emergencies. The true complexion of a system is to be determined by the general permanent rules which govern it—not by special exceptions from fortuitous circumstances and cases of necessity.

The special authorities upon which the foregoing table has been formed are, with regard to France, the arrêt of the 29th of December, 1787. With regard to the French West Indies, the letters patent of October, 1727, and the arrêts of the 30th of August, 1784—18th and 25th of September, 1785. With regard to Great Britain, the proclamation of the 26th of December, 1783, yearly continued, explained by sundry statutes. With regard to the British West Indies, the act of parliament of the 28th of George III., chap. vi.

ACT TO PUNISH CERTAIN CRIMES.

June 5th, 1794.

AN ACT IN ADDITION TO THE "ACT FOR THE PUNISHMENT OF CERTAIN CRIMES AGAINST THE UNITED STATES."

1. *Be it enacted, &c.*, That if any citizen of the United States shall, within the territory or jurisdiction of the same, accept and exercise a commission to serve a foreign prince or state in war, by land or sea, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than two thousand dollars, and shall be imprisoned not exceeding three years.

2. That if any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered, in the service of any foreign prince or state, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer; every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years.

Provided, That this shall not be construed to extend to any subject or citizen of a foreign prince or state, who shall transiently be within the United States, and shall, on board of any vessel of war, letter of marque, or privateer, which, at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince or state, who is transiently within the United States, to enlist or enter himself to serve such prince or state, on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such prince or state.

And provided further, That if any person so enlisted shall, within thirty days after such enlistment, voluntarily discover, upon oath, to some justice of the peace or other civil magistrate, the person or persons by whom he was so enlisted, so as that he or they may be apprehended and convicted of the said offence; such person so discovering the offender or offenders shall be indemnified from the penalty prescribed by this act.

3. That if any person shall, within any of the ports, harbors, bays, rivers, or other waters of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall, knowingly, be concerned in the furnishing, fitting out, or arming of any ship or vessel, with intent that such ship or vessel shall be employed in the service of any foreign prince or state, to cruise or commit hostilities upon the subjects, citizens, or property of another foreign prince or state with whom the United States are at peace, or shall issue or deliver a

commission, within the territory or jurisdiction of the United States, for any ship or vessel, to the intent that she may be employed as aforesaid; every such person so offending shall, upon conviction, be adjudged guilty of a high misdemeanor, and shall be fined and imprisoned at the discretion of the court in which the conviction shall be had, so as the fine to be imposed shall in no case be more than five thousand dollars, and the term of imprisonment shall not exceed three years; and every such ship or vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores, which may have been procured for the building and equipment thereof, shall be forfeited one half to the use of any person who shall give information of the offence, and the other half to the use of the United States.

4. That if any person shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting the force of any ship of war, cruiser, or other armed vessel, which, at the time of her arrival within the United States, was a ship of war, cruiser, or armed vessel, in the service of a foreign prince or state, or belonging to the subjects or citizens of such prince or state, the same being at war with another foreign prince or state with whom the United States are at peace, by adding to the number or size of the guns of such vessel prepared for use, or by the addition thereto of any equipment solely applicable to war; every such person so offending shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be fined and imprisoned at the discretion of the court in which the conviction shall be had, so as that such fine shall not exceed one thousand dollars, nor the term of imprisonment be more than one year.

5. That if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state with whom the United States are at peace; every such person so offending shall, upon conviction,

be adjudged guilty of a high misdemeanor, and shall suffer fine and imprisonment at the discretion of the court in which the conviction shall be had, so as that such fine shall not exceed three thousand dollars, nor the term of imprisonment be more than three years.

6. That the district courts shall take cognizance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

7. That in every case in which a vessel shall be fitted out and armed, or attempted so to be fitted out or armed, or in which the force of any vessel of war, cruiser, or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the prohibitions and provisions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States, as above defined, and in every case in which any process issuing out of any court of the United States, shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel, of any foreign prince or state, or of the subjects or citizens of such prince or state, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be judged necessary for the purpose of taking possession of, and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring such prize or prizes, in the cases in which the restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise, from the territories of the United States, against the territories or dominions of a foreign prince or state, with whom the United States are at peaec

8. That it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the

United States, or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States, in all cases in which, by the laws of nations, or the treaties of the United States, they ought not to remain within the United States.

9. That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy, defined by a treaty, or other law of the United States.

10. That this act shall continue and be in force, for and during the term of two years, and from thence to the end of the next session of Congress, and no longer.

Approved, June 5th, 1794.

CARRIAGE TAX.

June 5, 1794.

AN ACT LAYING DUTIES UPON CARRIAGES FOR THE CONVEYANCE OF PERSONS.

1. *Be it enacted*, &c., That there shall be levied, collected, and paid, upon all carriages for the conveyance of persons which shall be kept by, or for, any person, for his or her own use, or to be let out to hire, or for the conveying of passengers, the several duties and rates following, to wit: For and upon every coach, the yearly sum of ten dollars; for and upon every chariot, the yearly sum of eight dollars; for and upon every phaeton and coachee, six dollars; for and upon every other four-wheel, and every two-wheel, top carriage, two dollars; and upon every other two-wheel carriage, one dollar. *Provided always*, That nothing herein contained shall be construed to charge with a duty, any carriage usually and chiefly employed in husbandry, or for the transporting or carrying of goods, wares, merchandise, produce, or commodities.

2. That the duties aforesaid shall be levied, collected, re-

ceived, and accounted for, by and under the immediate direction of the supervisors and inspectors of the revenue, and other officers of inspection, subject to the superintendence, control, and direction, of the department of the Treasury, according to the authorities and duties of the respective officers thereof.

3. That every person having or keeping a carriage, or carriages, which, by this act, is or are made subject to the payment of duty, shall, within the month of September, in each year, make entry of the same, with the officer of inspection of the district in which he or she shall reside, and pay the duty thereon: and such entry shall be in writing, subscribed by the owner of such carriage or carriages, and shall describe each by its proper denomination, and number of wheels. And for the purpose of receiving such entry and payment, it shall be the duty of the supervisor of the district, or of some officer of inspection, to attend within the month of September, in each year, at one of the most public and convenient places in each county, within their respective districts, and to give public notice, at least one month previous to such day, of the time and place of such attendance. And if any person, having or keeping a carriage or carriages, charged with a duty or duties by this act, shall neglect or omit to bring, or send and deliver such list thereof, at or within any monthly period aforesaid, in manner above mentioned, or to pay the duty or duties thereupon payable, he or she shall, for every such neglect or omission, forfeit and pay a sum equal to the duty or duties payable upon the said carriage or carriages, in addition to the said duty or duties.

4. That if any person having or keeping a carriage or carriages, chargeable with any duty by this act, shall prefer, to the mode of payment hereinbefore directed, that of paying the amount of the duties, by him or her payable, upon demand of him or her made at his or her usual place of habitation, it shall be at his or her option to make payment in manner last mentioned, upon the condition following, that is to say: that he or she, if having or keeping a carriage or carriages, so liable to duty, on the first day of September next, shall, within the said month of September, or, if beginning to have or keep such carriage or

carriages at any time after the said first day of September, shall within thirty days after he or she shall so begin to have or keep such carriage or carriages, give notice thereof, in writing at the office of inspection nearest to his or her said place of habitation, by transmitting a list thereof, of the like kind and description with that directed and described in the third section of this act, and expressing thereupon that he or she doth elect to pay the yearly duty or duties, payable upon the carriage or carriages therein mentioned, upon demand of him or her, at his or her said place of habitation, and upon this further condition, that he or she shall pay, upon such demand, in addition to the said duty or duties, a commission of one per centum upon the amount thereof, for the benefit of the officer or person by whom the said demand shall have been made.

5. That every person who shall make such election as aforesaid, shall pay, or cause to be paid, yearly, and every year, after the month of September, upon the calling for that purpose, at his or her said place of habitation, of any officer of inspection, or person thereunto authorized, the amount of duty or duties by him or her payable, upon the carriage or carriages, whereof he or she shall have transmitted a list, as aforesaid, so long as he or she shall continue to have or keep the same, and until he or she shall give notice in writing, at the office of inspection, to which the said list shall have been transmitted, that he or she hath sold, or otherwise assigned, or alienated, any carriage or carriages therein mentioned; in default of which payment, the duty or duties, and commission, thereupon, in respect to which any such default shall be made, shall and may be sued for and recovered in any court of the United States, or either of them, or shall and may be levied, together with reasonable charges, by distress and sale of the goods and chattles of the person making such default.

6. That if any person, by whom such election as aforesaid shall have been made, shall omit to notify in manner hereinbefore directed, any carriage or carriages liable to duty, by this act, which he or she shall, at any time, have or keep, he or she shall in respect to such carriage or carriages, stand and be in the

same predicament as persons by whom no such election shall have been made, and shall incur the like penalties and forfeitures, as such persons are by this act made liable to, for neglecting or omitting to bring, or send and deliver, true and exact lists of the carriages by them, respectively, had or kept, and paying the duties thereupon, in the manner herein directed.

7. That it shall be, at any time, lawful for any person who shall have made any such election as aforesaid, by notice in writing, under his or her hand, sent to, and delivered at, the same office of inspection, where the notice of such election shall have been given, to revoke the said election; after which revocation, he or she shall stand and be, as to all matters and things directed and prescribed by this act, in the same situation as if no such election had been made.

8. That the supervisors of the revenue shall have power, from time to time, to examine, upon oath or affirmation, any officers or persons employed under them in the collection and receipts of the duties aforesaid.

9. That if any person shall wilfully swear or affirm falsely, touching any matter hereinbefore required to be verified by oath or affirmation, he or she shall suffer the pains and penalties, which by law are prescribed for wilful and corrupt perjury; and, if an officer, shall forfeit his office, and be incapable of afterwards holding any office under the United States.

10. That all fines, penalties, and forfeitures, which shall be incurred pursuant to this act, shall be divided and distributed, one half thereof to the use of the United States, and the other half thereof to the use of the person, who, if an officer of inspection, shall first discover, if not an officer of inspection, shall first give information of, the cause, matter, or thing, whereby any of the said penalties or forfeitures shall have been incurred; and as well the duties hereby laid, as the said fines, penalties, and forfeitures, all or any of them, shall and may be sued for, and recovered, in any court of the United States, or before any magistrate, or State court, having competent jurisdiction.

11. That this act shall continue and be in force, for and dur-

ing the term of two years, and from thence to the end of the next session of Congress, and no longer.

ACT AS TO CALLING FORTH MILITIA.

February 28th, 1795.

AN ACT TO PROVIDE FOR CALLING FORTH THE MILITIA, TO EXECUTE THE LAWS OF THE UNION, SUPPRESS INSURRECTIONS, AND REPEL INVASIONS, AND TO REPEAL THE ACT NOW IN FORCE FOR THOSE PURPOSES.

1. *Be it enacted, &c.*, That whenever the United States shall be invaded, or be in imminent danger of invasion, from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose to such officer or officers of the militia as he shall think proper. And in case of an insurrection in any State, against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such State, or of the Executive (when the legislature cannot be convened), to call forth such number of the militia of any other State or States, as may be applied for, as he may judge sufficient to suppress such insurrection.

2. That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State, or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of

militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress.

3. That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abode, within a limited time.

4. That the militia employed in the service of the United States shall be subject to the same rules and articles of war as the troops of the United States; and that no officer, non-commissioned officer, or private, of the militia, shall be compelled to serve more than three months after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the battalion to which he belongs.

5. That every officer, non-commissioned officer, or private, of the militia, who shall fail to obey the orders of the President of the United States, in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court martial; and such officer shall, moreover, be liable to be cashiered by sentence of a court martial, and to be incapacitated from holding a commission in the militia, for a term not exceeding twelve months, at the discretion of the said court; and such non-commissioned officers and privates shall be liable to be imprisoned, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month for every five dollars of such fine.

6. That courts martial for the trial of militia shall be composed of militia officers only.

7. That all fines to be assessed as aforesaid, shall be certified by the presiding officer of the court martial before whom the same shall be assessed, to the marshal of the district in which the delinquent shall reside, or to one of his deputies, and also to the supervisor of the revenue of the same district, who shall record the said certificate in a book to be kept for that purpose.

The said marshal, or his deputy, shall forthwith proceed to levy the said fines, with costs, by distress and sale of the goods and chattels of the delinquent; which costs, and the manner of proceeding with respect to the sale of the goods distrained, shall be agreeable to the laws of the State in which the same shall be, in other cases of distress. And where any non-commissioned officer or private shall be adjudged to suffer imprisonment—there being no goods or chattels to be found whereof to levy the said fines—the marshal of the district, or his deputy, may commit such delinquent to gaol, during the term for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner as other persons condemned to fine and imprisonment at the suit of the United States may be committed.

8. That the marshals and their deputies shall pay all such fines by them levied, to the supervisor of the revenue in the district in which they are collected, within two months after they shall have received the same, deducting therefrom five per centum as a compensation for their trouble; and in case of failure, the same shall be recoverable by action of debt or information, in any court of the United States, of the district in which such fines shall be levied, having cognizance thereof, to be sued for, prosecuted, and recovered, in the name of the supervisor of the district, with interest and costs.

9. That the marshals of the several districts, and their deputies, shall have the same powers, in executing the laws of the United States, as sheriffs and their deputies, in the several States, have by law in executing the laws of the respective States.

10. That the act entitled, "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," passed the second day of May, one thousand seven hundred and ninety-two, shall be, and the same is, hereby repealed.

TREATY WITH GREAT BRITAIN.

REMARKS ON THE TREATY OF AMITY, COMMERCE AND NAVIGATION, MADE BETWEEN THE UNITED STATES AND GREAT BRITAIN.

Hamilton to Washington.

July 9, 1795.

Article I. This being simply a declaration of peace and friendship, is liable to no observation.

Article II. This article, by fixing a precise period for the evacuation of the posts, namely, the first of June 1796, secures that important event as far as a stipulation can do it.

It is objected that the period is too remote, and that reasoning from the past there can be no reliance upon a fulfilment at the time.

It were desirable that a shorter period could have been limited, not only because it is interesting to repossess the posts as early as possible, but because the chances of interfering events which may create impediments are multiplied in proportion to the delay.

But the reasons assigned for it as contained in one of Mr. Jay's letters, though not satisfactory with regard to us, are not without force with regard to the other party, and it may be added to them, that the British would naturally wish time to establish counter posts within their territories, and that some time would really be requisite to prepare, without prejudice to their traders, for the future course of their business.

Yet whatever may be the degree of force which may be conceded to the reasons assigned for the delay, this circumstance does not appear to me a good ground of suspicion, that the postponement is with a secret intent to evade the surrender. I rather resolve its principal motive into the desire of preserving the friendship and confidence of the Indians within our territory

by the gradual preparation of their minds for the event, and also by giving them sufficient time to close their quarrel with us, leaving things on a footing which it was imagined would incline us to better terms of peace than if we were previously in actual possession of the posts.

The extreme profligacy and contempt of appearances—which are implied in the supposition of an intention to evade the surrender of the posts, after a second and *precise* stipulation, in a treaty which adjusts all the points of difference in a former treaty are so palpable, that the supposition cannot be indulged without such a distrust of the faith of the party as would forbid an attempt to treat with him. For after all, some future period must have been fixed—and that as well as a more remote one might have been evaded.

Besides, that it appears to be extremely probable that the course of events will fortify the disposition to observe good faith in this particular.

I therefore venture to count with confidence on the surrender of the posts, according to the stipulation, if the treaty is mutually ratified. And this is in my view a matter of signal importance. Besides opening to us the Indian trade which is of some value, relieving us effectually from the expenses and mischiefs of Indian wars in that quarter, and giving a secure course to our western settlements, it breaks up the great and dangerous project of Great Britain to confine us to the Ohio and to possess the intermediate country, and it tends most powerfully to establish the influence and authority of the general government over the western country. The different ways in which it will have this effect will readily occur. The firm possession by the general government of the western posts, may be considered as a very strong link of connection between the Atlantic and western country, to maintain which, with the necessary controls, is the knotty point of our affairs as well as a primary object of our policy.

Moreover, it is to be remarked that the conditional ratification of the treaty as advised by the Senate, will occasion delays which would render it scarcely possible to effect the surrender sooner than is stipulated, in consequence of the treaty; and at

any rate the event could only be retarded, not accelerated, by not closing with the treaty as it stands.

The reservations of this article, with respect to the "*precincts* and *jurisdiction*" of the posts, are criticised on account of the vagueness of the terms. But this criticism does not appear very well founded. It would have been difficult to have hit upon a definition which would have suited all the circumstances of the present occupation; and as any construction which is not entirely absurd, will leave full latitude for the progress of settlement during the short period of the further detention of the posts, a definition was not a matter of moment. In my opinion the true construction will be, that those places where there are settlements and establishments in the vicinity of the posts over which a jurisdiction *in fact* has been exercised since the peace, are to be understood to be comprehended within the terms "precincts and jurisdictions of the posts," and that where there have been no settlements, *gun shot* must be the rule.

Article III. This article appears on the whole to be advantageous to the United States. Our Indian trade, to which it gives the British access, is unimportant. Theirs, to which we acquire access, is important, and it is believed by persons conversant in the business, that our local situation will enable us to maintain the competition within the British territories on favorable terms. As to other trade, the advantage will be still more clearly with us. The superior facilities of transportation on our side, will enable us to supply their possessions with European and East India goods, as well as domestic articles, far more extensively than they can us.

It is objected to this article that the clauses which regard "the admission of British vessels from the sea into the rivers of the United States," &c., and the mutual navigation of the Mississippi, will interfere with the regulations which the United States may hereafter think fit to establish, in order to bring Great Britain to better terms of commerce, &c.

But the ground of this objection appears to be erroneous. The main and affirmative object of the first clause of the article is to secure an intercourse between the territories situated on each

side of the boundary line, by *land* passage and *inland* navigation, with a right to each for the purpose of this inland navigation "to navigate all the lakes, rivers, and waters thereof." But lest on the one hand this should be construed to admit by implication a communication from the sea with Canada or Nova Scotia, or through those countries with the sea, (a thing not now permitted,) it is declared negatively that this shall not be understood to be implied; and lest on the other hand the same provision should be construed to admit by implication that British vessels coming from the sea might go beyond the highest ports of entry, *to which our laws now subject foreign vessels*, it is in like manner declared *negatively*, that this shall not be understood to be implied. But this negative of an implication which might have arisen from the principal provision, can by no just rules of reasoning or construction be turned into a grant of a positive privilege; especially being foreign to the object of that principal provision—that is to say, to the grant of a right to navigate by sea to and from our seaports; the subject of the main provision being *land passage* and *inland navigation*.*

The absurdity of such a provision becomes the more manifest by considering that the trade to be regulated by the main provision concerns only that portion of the British territories which is on the continent of America; while the right pretended to be grafted upon it would extend to all the other British territories, in whatever part of the world. With as much reason, and on the same principle, might we contend under the article for an access *by sea* to any possessions which Great Britain might have or acquire on the opposite coast of our continent.

The clause with regard to the Mississippi merely admits, as far as depends upon us, a *positive* right to navigate that river to any port or place which the British may have bordering upon

* Those terms have no precise legal sense; but they are always used as contradistinguished from sea-navigation, or navigation to and from the sea. I should say, then, that inland navigation begins where navigation from the sea ends;—that navigation from the sea ends at our ports of entry from the sea, where inland navigation begins. This construction is strengthened by the reflection, that, according to the laws of Great Britain and the United States, rivers, as far as the tide flows, are arms of the sea.

it, and a *revocable* right to navigate it to any port or place which we may have bordering upon it. They may use it to come to any such port or place, in *as ample a manner* as they may go to an Atlantic port; but not in a *more ample manner;* consequently, a prohibition to come to an Atlantic port, will annihilate the conditional permission to go to a port on the Mississippi.

We may, therefore, freely, as to any thing in this article, prohibit British vessels from coming by sea from any part of the world to the United States.

The latter part of the clause gives permission to bring and carry into the respective territories mentioned in the article *in manner aforesaid*, that is to say, *by land passage and inland navigation*, all such goods and merchandise *whose importation shall not be entirely prohibited*, paying such duties only as the respective subjects and citizens are liable to pay. But we may entirely prohibit any articles we please of the produce or manufacture of Great Britain. And we may prohibit the exportation to Great Britain of any articles whatsoever. Thus will there be ample room to make regulations of the kind alluded to, notwithstanding any thing in this article.

Article IV. This article, as far as it is operative, is right. A survey is a necessary previous step to determine whether the former treaty can be literally executed; and if not, the adjustment of the matter is referred to future negotiation, which leaves it in the power of both parties to come to such an agreement as they deem reasonable and conformable to the true intent of the former treaty.

Article V. This article also provides a good mode of settling the controverted point.

Article VI. It was ever my opinion that no adjustment of the controversy on the inexecution of the former treaty was ever likely to be made, which would not embrace an indemnification for losses sustained, in consequence of legal impediments to the recovery of debts: and indeed it always appeared to me just that an indemnification should be embraced.

The article of the former treaty on this head was, as I conceive, nothing more than the formal sanction of a doctrine which

makes part of the modern law or usage of nations. The *confiscation* of private debts in time of war is reprobated by the most approved writers on the laws of nations, and by the negative practice of civilized nations, during the present century. The free recovery of them, therefore, on the return of peace, was a matter of course, and ought not to have been impeded, had there been no article.

Admitting that the first breaches of the treaty were committed, as we alleged, by Great Britain, still it would not follow that the impediments which the laws of certain States opposed to the recovery of debts were justifiable.

First, Because it manifestly lay with the general government, to which belonged the powers of treaty, war and peace, to decide whether, in consequence of the breaches of treaty on the other part, it would elect to consider as void the whole, or any article of the treaty. The general government never did so decide, but on the contrary, repeatedly and wisely manifested a different disposition; wisely, because it was inexpedient to set afloat so important a treaty, which terminated the question of the revolution with the government with which we had contended, and to widen a breach which might at an early stage involve us anew in war. Consequently, the only competent authority having declined to pronounce, it was a usurpation in any State to take upon itself the business of retaliation.

Secondly, Because the interruption of the recovery of debts is contrary (as before observed) to the modern usage of nations, immoral in itself, against the opinions of the generality of enlightened men, and disreputable to the nation which has recourse to it. The practice of most of the States is in conformity with, and a comment upon this doctrine.

But the question, Who committed the first breach of the treaty? if candidly examined, does not admit of as clear a solution in our favor as many imagine or assert.

Two breaches of treaty are imputed to Great Britain; one respecting the carrying away of the negroes, and the other respecting the retention of the posts.

As to the first, Great Britain has much to say with truth and justice.

Her proceedings in seducing away our negroes during the war were to the last degree infamous, and form an indelible stain on her annals.

But having done it, it would have been still more infamous to have surrendered them to their masters.

The reply to this may be, that they ought not then to have stipulated it. This is just; but still the inquiry is, whether they have stipulated it, and the odiousness of the thing, as applied to them, is an argument of weight against such a construction of general expressions in the treaty as would imply the obligation to restitution. Odious things are not favored in the interpretation of treaties; and though the restoration *of property* is a favored thing, yet the surrender of persons *to slavery* is an odious thing, speaking in the language of the laws of nations.

The words of the article are, that his Britannic Majesty shall, with all convenient speed, and without *causing any destruction or carrying away any negroes or other property* of the American inhabitants, withdraw all his armies, &c.

There are two constructions of this article; one that the *evacuation should be made without depredation*, that is, without causing any destruction or carrying away any *property*, which continued to be such (*having undergone no change by the laws of war*) at the time of the evacuation; the other, that there was to be, besides a forbearance to destroy or carry away, a positive *restitution* of all property *taken in the war*, and *at the time of the evacuation which then existed in kind.*

In favor of the last construction is the most obvious sense of the words; and as it applies to the negroes merely as an article of property, the justice of restoring what had been taken away in many instances by unwarrantable means.

Against it, and in favor of the first construction, are these considerations.

1. That the expressions are, negroes and *other property;* which puts negroes, cows, horses, and all other articles of *property*, on the same footing, and considers them, if at all liable, equally liable to *restitution*, and all as having equally the common quality of *property* of the American inhabitants.

Could any thing be considered as property of the American inhabitants, at the time of the treaty, and in contemplation of the treaty, which, by the ordinary rules of the laws of war, had previously become the absolute *property of the captors?* Is there any thing which exempts negroes more than other articles of personal property, from capture and confiscation as booty? If there is not, why should negroes have been claimed under this article, more than the vessels which had been captured and condemned? Is that a probable sense of the treaty which would require such a restitution?

2. If negroes were objects of capture in war, the captor might proclaim their liberty when in his possession. If once declared free, could the grant be recalled? Could the British government stipulate the surrender of men made free to slavery? Is it natural to put such a construction upon general words, if they will bear another? Is not this, as it regards the rights of humanity, an odious sense?

3. The treaty will bear another construction—that which is put upon it by the British—a provision *for greater caution* against depredation or the carrying away of property not changed by the laws of war. It is observable, in confirmation of this, that there is no *stipulation to restore*, but negatively not to *carry away;* whereas, immediately after, in the same article, there follows a clause which stipulates that "archives, records, &c.," shall be *restored* and *delivered up*. This different mode of expression seems to denote a different sense in the two cases.

Let it be observed that I do not mean to advocate this sense in preference to the other. I have at different times viewed the matter in different lights, and our ablest lawyers differ concerning it. I even entertain a clear opinion that the article was intended to operate in our sense of it. But, still, this does not obviate the doubt as to its true legal signification.

All I mean to say is, that there is really a well-founded doubt as to the true legal construction; and, in such case, the acting of the other party, on a construction different from ours, could not be deemed such a clear manifest breach of treaty as to

justify retaliation. The point was merely a matter of amicable discussion and negotiation.

If this was a breach of the treaty, it is necessary to note that it was committed in 1783.

The affair of the posts is more embarrassing.

It is necessary, in the first place, to settle when it became the duty of the British to surrender them. The stipulation is, that it shall be done "with all convenient speed." But from which of the treaties are we to date, the *provisional* or the *definitive?* The principle of this question is a point of great difficulty not settled either by the opinions of writers, or by the practice of nations.

I remember that I contended in Congress, shortly after the arrival of the *provisional* treaty, and when it was known that preliminaries had been signed between France and England, that the execution of the treaty was to date from this epoch, and on this position I grounded a motion to recommend to the States a compliance with the article.

But on the vote upon this motion, I was left *alone*, and Congress did not act upon the subject till after the arrival of the definitive treaty—that is, 1784.

This amounts to a construction by our government, that the execution was to date from the *definitive treaty.*

Lord Grenville contends with Mr. Jay for the same position, and urges, consequently, that it was not till after the notice of the ratification by us in England, or, in other words, the exchange of ratifications there, that it could be deemed incumbent upon them to give orders for the evacuation of the posts; which orders could not well have been given before May, nor have arrived in Canada till July.

After the course pursued by us, as already stated, it is difficult to see what can be objected to this construction. It is true the Atlantic posts were evacuated shortly after the provisional treaty; but it may be justly observed, upon this, that it was done for mutual convenience, and in the spirit of conciliation—not on the score of strict obligation; that, however inconsistent with the spirit of an act for restoring peace, it might have been

to have detained places in the heart of our settled country; being, besides, the capitals of the States in which they were, there was entire liberty to pursue a stricter rule as to the Western posts, some delay concerning which could not have been of material inconvenience to us; and that it was reasonable to pursue the strict rule here, to see what course the execution of the treaty was likely to take on our part.

But our dilemma is this: that if the delay of orders for evacuating the posts till after the exchange of ratifications of the definitive treaty, was a breach of the treaty, *as contended for by Mr. Jefferson*, the delay of acting upon the fifth article till after the ratification of the definitive treaty in this country, was equally a breach of the treaty on our part, and a prior, at least, a cotemporary breach.

Let us now see how, in point of time, the breaches will stand on our part. In this I shall not aim at an accurate enumeration, but shall select particular instances.

1. An act of New-York for granting a more effectual relief in cases of certain trespasses, passed the 17th of March, 1783.

This act takes away from any person within the British lines who had occupied, injured, or destroyed the property, real or personal, of an inhabitant without the lines, the plea of a military order for so doing; consequently, the justification which he might derive from the laws and usages of war, in contravention of the treaty of peace.

It is true, it preceded for a short time the arrival of the provisional treaty in this country; but it is notorious that it was in expectation and contemplation of the event.

This circumstance of priority of time, leads Mr. Jefferson to put this act out of the question; but in fair reasoning this is hardly admissible.

It continued to have, *in fact*, an *extensive operation*, from the time of the evacuation of the city of New-York till the repeal of the exceptionable clause, by an act of the 4th of April, 1787.

It hardly appears a satisfactory answer to this, to say, as Mr.

Jefferson has done, that the courts did not sanction the principle of the act; that in one instance, the case of Rutgers and Waddington, the mayor's court overruled it.

The fact is, that from the very express terms of the act, a general opinion was entertained, embracing almost our whole bar, as well as the public, that it was useless to attempt a defence; and, accordingly, many suits were brought, and many judgments given, without the point being regularly raised, and many compromises were made, and large sums paid, under the despair of a successful defence. I was for a long time the only practicer who pursued a different course, and opposed the treaty to the act; and though I was never overruled in the Supreme Court, I never got my point established there. I effected many easy compromises to my clients, afraid myself of the event in the Supreme Court, and produced delays till the exceptionable part of the act was repealed. The Supreme Court frequently, in a studied manner, evaded the main question, and turned their decision upon the forms of pleading.

'Tis perhaps enough for the other party to say that here was a positive law of a state, unrepealed, and acted upon so as in fact to defeat, in a material degree, the operation of the treaty. The injury was suffered, and there ought never to have existed so critical a conflict between the treaty and the statute law of a state.

If the operation of this law was a breach of the treaty, it was a breach from the *first moment* of the ratification of the provisional articles till the 4th of April, 1787. Nothing could be anterior to it.

Another act of the 4th of May, 1784, provided a mode by which the foregoing act should have effect upon the estates of absentees, which in several instances produced judgments without opportunity of defence. It is to be observed that the British commander-in-chief early remonstrated against this act as inconsistent with the treaty, and yet it continued unrepealed.

Another act of New-York, of the 12th of May, 1784, in the strongest and most express terms, confirms all confiscations before

made, notwithstanding any errors in the proceedings, and takes away the writ of error upon any judgment before rendered.

This is substantially a new confiscation. If the judgments before rendered were from error invalid, the confiscations were nullities—to take away the writ of error which was the mode of annulling them, was equivalent to making new confiscations. This act was an undoubted breach of the treaty, and is prior to the time when the breach by the non-surrender of the posts can be dated.

An act of South Carolina, March 26, 1784, suspends the recovery of British debts for nine months, and then allows them to be recovered in four yearly instalments.

This also was a plain contravention of the treaty, and dates before the breach by non-surrender of the posts.

Virginia, in June, 1784, resolved that her courts should be opened to British suits as soon as reparation should be made with regard to the negroes and posts, or otherwise as Congress should judge it indispensably necessary.

If her courts were before closed, which this resolution admits, it was in consequence of acts passed prior to the treaty, which her courts had deemed obligatory upon them after the treaty—and it follows that there was a continual violation of the treaty from its ratification till 1787, when Virginia repealed all acts repugnant to the treaty.

Taking, therefore, the carrying away of the negroes to be a breach of treaty, 'tis a very moot point whether some of the laws of the States did not produce antecedent breaches.

Putting that out of the question and taking the definitive treaty, according to the construction just put upon it by our own conduct, as the act from which the execution was to date, and allowing reasonable time for the ratification to be notified and exchanged—it is certain that the first breaches were committed by us.

The use of these remarks is to show, that a candid and unprejudiced view of the subject tends to moderate the sanguine pretensions which have been built on the suggestion of the first breach having been committed by Great Britain, and to manifest

the reasonableness of having stipulated compensation in the cases of the breaches made by us.

Indeed, admitting the first breaches by Great Britain, I do not see that it would affect the conclusion that compensation was to be made.

The following seems to be the fair view of the subject.

Mutual infractions of the treaty had taken place. Either our infractions were to be considered as the equivalents for those of Great Britain, and then having enjoyed the equivalents we had no right to ask reparation in addition—or, if we preferred reparation for the infractions by Great Britain, we were to renounce the equivalents for them.

Then it will follow, that the surrender of the posts on their side would draw with it a right of compensation for the losses suffered by impediments to the recovery of the debts on our side.

In other words, the treaty was to remain mutually broken and unexecuted in certain points, or it was to be reinstated by mutual performance. Performance as to the article of the debts is compensation for the losses sustained by impediments to the recovery, and the removal of those impediments.

In fine, it would, in my judgment, independent of the treaty, have been dishonorable and unjust in us to have interfered with the recovery of private debts—it was dishonorable and unjust to have interfered with them on the grounds which were the pretexts, and it is honorable and just to make compensation. The reputation of the country as well as its peace required the stipulation.

It is not perceived that there is any thing exceptionable in the mode of determining and adjusting the compensations to be made in the cases in which this may be deemed proper—or that any better mode could be substituted. The article appears in general sufficiently well guarded.

Article VII. This article appears to me as well arranged as could have been expected.

It is objected to as too dilatory, but no reasonable substitute has occurred.

The United States could not have demanded a gross sum, because they had no adequate standard by which to ascertain what was proper. They might have asked too much or too little.

Great Britain, for the same reasons, could not have been expected to agree to the demand of a gross sum. This is not the way that nations deal with each other, unless where one is in a situation to dictate to the other. This was not our situation.

Indemnification on equitable principles was all that could be expected. This necessarily supposes a mode of ascertaining *with due investigation* the *real* losses.

But one of three modes can well be thought of; to refer the adjustment to the tribunals of the United States—to refer it to the tribunals of Great Britain, or to submit it to referees mutually appointed.

Either of the first two modes was inadmissible, because liable to partiality. The tribunals of the United States could never get hold of these cases without inverting entirely the course of similar transactions. Those of Great Britain will now in many cases decide in the first instance, but no American would choose to leave the ultimate decision there. Referees have therefore a comprehensive power to do justice in all cases in which it could not be obtained in the ordinary course.

But, it is said, 'twere better commissioners should have decided in the first instance without reference to the courts for the greater despatch.

This might have had a contrary tendency to that of promoting dispatch. Appeals, in a great number of cases, will have gone forward; and it was better they should have had their course than to be arrested to be turned over to the referees. 'Tis probable, from the expedition of admiralty proceedings, that the courts will have done their part by the time the referees are ready to begin.

It is to be observed too, that this article follows closely the provision with regard to the debts; and it was material this should be the case.

We certainly must prefer that our courts of justice should

have a free course in the affair of the debts, in all the cases in which it is now practicable.

The latter clause of this article respects the prizes made within our territorial jurisdiction, or by privateers originally fitted out in our ports, is confined to the cases in which the prizes having been brought within our ports, we forbore to make restitution, and is purely in execution of the opinion of the President conveyed in the letter from Mr. Jefferson, which is annexed to the treaty, and which, by being annexed and referred to, becomes a part of this article.

Agreeing, then, with the laws of nations, with the obligations which our treaties with other nations impose upon us in respect to them, and carrying into effect the expectation previously given by the President, it is liable to no just objection.

Article VIII. This article seems in all respects unexceptionable.

Article IX. This article, from having been misunderstood, caused at first much uneasiness. It was considered as giving a permanent reciprocal right to the citizens of the two countries indefinitely to acquire and hold lands in either. But this is manifestly an error, which having been pointed out, the uneasiness has subsided.

It is expressly confined to those holding lands prior to the treaty, (the words are those* "who *now* hold lands,") and makes no alteration in the antecedent state of things which can be at all material in a national light.

It is not certain that it makes any other alteration than that those who *now lawfully* hold lands may convey *those* lands to *aliens*.

It may, however, give rise to this question, whether aliens who *now* hold lands by a defeasible title acquired since the treaty of peace, in States whose laws do not authorize it, are not protected in their acquisitions? But however this question may be decided, it is of little importance; for in fact the alien laws are never enforced, nor likely to be so; and the quantity

* Mr. King, who has critically examined these points, is of opinion that it does not apply to such cases.

of lands so holden, which are daily changing owners, is not considered enough to have any consequence in a national scale.

An objection seems to have been raised in the Senate against the constitutionality of this article, as though it entrenched upon the authorities of the States.

But this objection is inadmissible. It would totally subvert the power of making treaties. There can hardly be made a treaty which does not make some alteration in the existing laws, which does not, as its objects, control the legislative authority; and from the nature of our Constitution, this must apply to the State laws and legislatures as well as to those of the Union.

A treaty cannot be made which alters the constitutions of the country, or which infringes any express exceptions to the power in the Constitution of the United States. But it is difficult to assign any other bounds to the power. It may certainly alter the provisions of the statute and municipal laws, and modify the rules of property.

There are stipulations in our treaty of peace with Great Britain, analogous to the one under consideration; the validity of which has never been disputed.

Of this kind is *that* which stipulates that all persons who have any interest in confiscated lands either by debts, marriage settlements or otherwise, shall meet with no lawful impediment in the prosecution of their just rights; and *that* which stipulates that there *shall be no future confiscations.*

But a much stronger case is found in the 11th article of our treaty of amity and commerce with France, which is generally understood and practised upon, as removing in toto, the disability of alienism from all Frenchmen, so far as respects acquiring and holding lands; and certainly gives them important rights with regard to lands which they would not have but for this treaty on account of their alienism.

Indeed, the protection of aliens in the enjoyment of the landed property they hold, is a familiar article in treaties of peace; so also stipulations as to rights in lands more or less qualified are common in treaties of commerce. And the power of making treaties is *plenary* under our present Constitution; more

so than it was under the confederation, where it has been deemed adequate to do much more in this respect than has been done by the treaty in question.

In fine, the objection to the constitutionality of this article, is manifestly futile.

Article X. In my opinion this article is nothing more than an affirmance of the modern law and usage of civilized nations, and is valuable as a check upon a measure which, if it could ever take place, would disgrace the government of the country, and injure its true interests.

The general proposition of writers on the laws of nations is, that all enemy's property, wherever found, is liable to seizure and confiscation; but reason pronounces that this is with the exception of all such property as exists *in the faith of the laws of your own country;* such are the several kinds of property which are protected by this article.

And though in remote periods the exception may not have been duly observed, yet the spirit of commerce, diffusing more just ideas, has been giving strength to it for a century past, and a negative usage among nations, according with the opinions of modern writers, authorizes the considering the exception as established.

If there have been deviations from that usage in the actual war of Europe, they form no just objection to this reasoning: for this war has violated, in different instances, most of the most sacred laws of nations.

It is said that the power which is given up by this article, was the only effective check upon Great Britain. I answer, 1st. That there existed before no *rightful* or *moral* power; and, notwithstanding the treaty, there will still exist a power without right or morality. The treaty only adds the sanction of an express, to what was before an implied pledge of the public faith. The one may be still violated as well as the other; and the only use of the article will be, to give prudent and good men an additional argument against an act of national iniquity.

2d. That the fear of the exercise of this power has not hitherto appeared to be a check upon Great Britain; and the menace of

its exercise can never take place without doing ourselves more harm than good, by tarnishing our honor and shaking our credit.

3d. That war itself acts as a virtual sequestration of property, by interrupting the course of remittances; and the government by interfering does little more than render itself liable for the dilapidations of vicious individuals who take advantage of the circumstance; since treaties of peace, unless one party is totally prostrate, will never fail to reinstate private debts.

What benefit did those States derive which had recourse to the expedient of sequestrations in our war? How much wiser and less embarrassing to themselves was the policy of those States who refrained from it. And why did they refrain from it, but because they thought it unwarrantable and impolitic?

I have not the State laws by me, and cannot speak with certainty from memory; but as far as I recollect, a majority of the States, including the most commercial, abstained from the sequestration or confiscation of private debts, except in the case of convicted or attainted criminals, which may be regarded as an indication of the general opinion. For if ever a war warranted such a measure, it was our *Revolution war.*

I conclude from the whole, that no honest or truly politic objection lies against this article; and that a willingness to enter into the stipulation is reputable to the country, while an unwillingness would be disreputable to it.

These ten are all the permanent articles. They close the various matters of controversy with Great Britain, and, upon the whole, they close them reasonably. Compensation for the negroes, if not a point of doubtful right, is certainly a point of no great moment. It involves no principle of future operation. It terminates in itself; and the actual pecuniary value of the object is in a national sense inconsiderable and insignificant.

The remaining articles are temporary. I proceed to review them in their order.

Article XI. This article is a mere introduction to the succeeding articles.

Article XII. This article is in my judgment an exception-

able one. The principle of a restriction upon any thing which is not the produce of the treaty itself, is unprecedented and wrong. Had it been confined to articles from the British islands, it would have been justified; but extending to articles from other countries, and, according to the letter, to one which is the growth of our own country, it appeared to me from the beginning inadmissible. It might also have proved a source of dissatisfaction to France, by interrupting in the midst of the war a regular and just source of supply through us. And though I would not omit any measure which I thought for the national interest, because any foreign power might capriciously dislike it, yet I would do no act giving a reasonable cause of dissatisfaction. And for these reasons I am glad, though at the risk of the treaty, that the Senate has accepted it.

I do justice to Mr. Jay's reasoning on this subject. He thought rightly that the re-exportation of the articles in ordinary times was a matter of little consequence to this country, and that it was of importance by a formal treaty to establish the precedent of a breach in the navigation system of Great Britian, which might be successively widened. These reasons were not light ones, but they are in my judgment outweighed by the other considerations.

Article XIII. This article is a valuable one. In considering it, it is necessary to reflect that the privileges we now enjoy in the British East Indies are by the *mere sufferance* of the local government, and *revocable* at pleasure. This article converts into a *right by stipulation*, not all that we before enjoyed by sufferance, but the most essential and extensive part of it—the direct trade between India and the United States. Heretofore by sufferance we have been occasionally let into the coasting trade, and have been permitted to go from India to other countries than the United States. The treaty, though it permits a circuitous trade to India, permits only a direct trade from India to the United States; but when the articles arrive within the United States, we may re-export them, or do whatever else we please.

But though the treaty does not secure to us an indirect trade from India, nor the coasting trade there, I do not see but that

these matters will be left just where they were before; that is, depending on the sufferance or free permission of the British government in India. When two parties agree that a certain thing shall not be done, it is always with this tacit exception, *unless the party for whose benefit the restriction is imposed shall consent to waive it.* If the British government finds it expedient to continue to us the advantages not granted by treaty, its permission *ad hoc* will release the restriction in the treaty and confer the right. 'Tis by the same permission we have hitherto enjoyed it, and by its continuance we may enjoy it still.

The interest of the other party was the only ground upon which we heretofore enjoyed any privilege in the British East Indies. That interest without the treaty would continue the privilege so long, and so long only, as the interest continued. It will still do the same as to what is not included in the treaty, and the result of the whole is this—that the treaty converts into *matter of right* the most *extensive* and most *valuable part* of a trade, which before was *wholly* matter of sufferance, leaving the *residue now* as it was *before*, matter of sufferance, to be continued or discontinued according to the interest of the party.

Some alarm has been attempted to be excited as if under this article, the British merchants could enter into competition with us in the India trade, and by the superiority of their capitals, supplant us. But there is not a syllable in this article which renders this at all more possible now than it was before.

There is a clause which says negatively that our vessels shall pay in India no other or higher duties than are payable on British vessels in the ports of the United States. But as it is at the option of the other party under this article, not to make us pay as much tonnage in India as British vessels pay in the United States, so before the treaty it was in their power to make us pay not only as much but more; now by the treaty they are restrained from making us pay more, so that something is gained, nothing lost. There is a clause which immediately follows, very important in a contrary sense to the object. This clause secures us from paying higher duties in India on articles imported and exported in our vessels than are paid on the same articles in British

vessels; whereas before they might have imposed at pleasure, higher duties on our cargoes, and very reasonably could have gone so far as to countervail the higher duties which we lay on foreign vessels bringing goods from India.

In fine this article is all on one side, and favorable to us.

Article XIV. This article is a general formula without any special or remarkable feature.

Article XV. This article, with more precision than is usual, only establishes reciprocally the rule of the most favored nation. It stipulates that as to the points enumerated, Great Britain shall be on no worse footing than other nations, but it gives her no preferences. It was impossible to expect that a treaty could be formed of which this was not the basis.

The last clause but one assures to Great Britain the right of imposing on American vessels *entering into her ports in Europe*, and their *cargoes*, duties which shall countervail the differences made in our ports between British and American vessels and their cargoes. This right Great Britain enjoyed before the treaty, and it depended then upon her option as it does still to exercise or not to exercise it. And it is now in our option to defeat the reservation if we choose it by equalizing the duties.

The last clause stipulates on our side a continuance of the *status quo* as to the tonnage duty on British vessels, and as to the proportional difference of duties on articles imported in British and American vessels. This *status quo* is such as we have no interest to vary, unless on the plan of *coercive regulations*, an idea which is certainly incompatible with the being of the treaty *while it continues in force.*

Article XVI. This article merely relates to consuls, and is on the common and a harmless footing.

Article XVII. This article, recognizing the right of a belligerent nation to take its *enemy's goods* out of a neutral vessel, establishes the usual grounds against abuse.

It is impossible to deny that the principle recognized is conformable with the laws of nations. It is the uniform doctrine of writers, and was the uniform and universally allowed practice of nations before the armed neutrality brought it into controversy.

A combination like this, formed in the midst of a war of temporary duration, and on special motives of policy, not acceded to by all the powers of Europe—not having acquired the sanction of time—is clearly not sufficient to alter a rule in the law of nations. This might be done by common consent, or by long and general usage. Neither is the case here. On the contrary, some of the powers which combined to introduce the innovation, now support in arms a contrary principle; and all the neutral powers—the United States included—have expressly or virtually relinquished the ground in the whole course of the present war. None, that I know of, has seriously contended for it, even in argument.

Our government, at an early day, on full and mature examination and reflection, by an unanimous opinion of those consulted, gave up the ground as untenable. The President's files of Mr. Jefferson's letters are evidence of this. Indeed it is not very probable that the new principle will ever become an established one of the laws of nations. It is too contrary to the spirit of war.

Where, therefore, the rule exists, it must depend on treaty, and apply only to the powers who are parties to it.

This article, therefore, does no more than was done before, and rightly and wisely done.

For besides that one or a few nations cannot justly make and attempt to enforce a new principle, it is folly in a young and weak country like ours to take a ground which cannot clearly be maintained on precedent and principle.

The dilemma was to renounce the pretension, or to insist upon and maintain it. To have attempted the last would have been madness.

It were to have been wished that this article had stipulated, with regard to contraband goods, what has been stipulated with regard to enemy's goods, to wit, that the contraband only should be detained—the rest of the cargo liberated; since it is contended, *in certain cases*, that the contraband articles will infect the ship and the residue of the cargo. But though such a stipulation would have been a *point gained*, the want of it relinquishes

nothing. The point is left where it was before—to the decision of the laws of nations.

Article XVIII. The first clause of this article specifies the articles to be deemed generally contraband. This specification agrees with the laws of nations, as laid down by writers, and sanctioned by long practice, in all cases in which there are not limitations or exceptions in particular treaties.

The enumeration, however, comprises articles as contraband which are excepted in our other treaties, and is so far less well than might be wished, though probably as well as circumstances would permit to be done at the present juncture.

In embracing, generally, articles for ship-building, it affects some of the staples of some of the States; but it is to be observed, that it only leaves them, in this respect, where they are at present. It is, however, our interest to narrow, upon all occasions, as much as possible, the list of contraband.

The second clause recites the difficulty of agreeing on the precise cases in which alone provisions and other articles not generally contraband, may be regarded as such; to prevent inconvenience and misunderstandings, provides, that in the cases in which, *by the existing laws of nations*, they do become contraband, they shall not be confiscated; but, being taken, *shall be paid* for at their full value, with a reasonable mercantile profit, freight, and demurrage.

But one case in which such articles may be deemed contraband is, by the succeeding clause, subjected to a particular and different regulation. A vessel with her cargo, going to a port or place, blockaded, besieged, or invested, if without notice, cannot be seized or detained, but must be turned back. If she contumaciously persists, and makes a second attempt, she may then be seized, and she and her cargo confiscated.

The last sentence guards our property found in places afterwards besieged, &c., from vexations and depredations to which they have been in some cases liable.

The second clause has been the subject of much censure, as though it sanctioned generally the seizing of provisions and other articles not generally contraband, on the condition of pay-

ing for them; for it is said that all the cases in which the acknowledged laws of nations authorize such seizure, are differently provided for in the third clause (those of blockades, sieges, and investments), and that consequently the provision in the second must be understood virtually to admit that there are other cases, and must be referred to the general position set up and acted upon by Great Britain, in her order of June.

But this argument is erroneous in principle and in fact.

1. The cases in which articles not generally contraband may be seized, even with compensation, are expressly those in which "they become contraband *according to the existing laws of nations.*" The appeal is then to these laws, as the criterion; and the government will be as free after the treaty as before it, to deny any arbitrary construction which Great Britain may think fit to put upon these laws, and to maintain its opposition in all the ways it may think fit.

2. It is not true that the third clause provides for all the cases where the acknowledged laws of nations authorize seizure of such articles. It provides for only one single case—that of a vessel going *without notice* to a place blockaded, besieged, or invested. The case of a vessel going to such a place *with notice* is not included. Other cases in which provisions &c. may be properly contraband may be conceived. That of carrying them with the direct intent of supplying a besieging army in the act of carrying on the siege, is one; for there is no reason why the party besieged should not intercept and seize supplies going to the besiegers, as well as the last those which are destined for the besieged.

Various combinations of circumstances, which do not at first sight occur, may beget other cases in which the seizure may be justified.

The clause in question, then, speaks simply this language; that inasmuch as cases may exist, in which provisions and other articles not generally contraband become so; as it is difficult beforehand to define them, as even in the admitted cases of blockades, sieges, and investments, it may not always be easy to pronounce what is a blockade, siege, or investment; as the parties

cannot at this time agree upon a definition of the doubtful cases, they agree at least (with one exception, which has been noticed) that in all cases of the seizure of such articles as contraband, full compensation shall be made to the end that in *doubtful cases*, the inconvenience being thereby much lessened, the danger of rupture may be diminished by inclining the party which conceives itself injured to acquiesce in the pecuniary compensation.

But though I have no doubt that this is the true and genuine sense of the clause, and that it does by no means warrant the construction put upon it, yet as it may possibly become the pretext of abuses on the side of Great Britain, and of complaint on that of France, I should have liked the treaty better without it. On the whole, I think this article the worst in the treaty, except the 12th, though not defective enough to be an objection to its adoption.

Articles XIX. and XX. These articles require no comment. They are usual and every way unexceptionable provisions.

Article XXI. This article is liable to no just objection. The first part of it restrains generally the citizens of each party from participating in hostilities against the other. This is implied in the leading article of every treaty of peace, is conformable with every moral idea—and though more comprehensive in the extent of the inhibition, is agreeable to the principle of the law of Congress on this subject.

It is also agreeable to the true policy of the United States, which is, to keep its citizens as much as possible from being implicated in the quarrels and contests of other nations, in foreign feelings, interests and prejudices. This is an idea of great importance to our security in various ways. The only case, if at all, in which it can be our interest that our citizens should engage in foreign service, is that of young men of education entering into foreign service to acquire military knowledge and experience.

But it is conceived that the doing of this in time of peace is not forbidden. The citizens of each party are not to accept commissions from, nor to be permitted to be enlisted by, the *enemies* of the other. This seems to suppose a state of war when the forbidden act is done. The punishment for infractions of this

part of the article is referred to the laws of the party whose citizens commit them. No precise one is defined.

The latter part of the clause subjects to the penalties of piracy the citizens of one party accepting commissions from the enemy of the other for *arming any vessel to act as a privateer.*

A similar provision is to be found in all our commercial treaties heretofore made, and is familiar in the commercial treaties of other powers during the present century. It has wisely become the policy of nations to confine the mischievous practice of privateering to the belligerent parties. This is peculiarly our true policy; as from situation the contrary would never fail to compromise our peace.

It is to be observed that this crime of piracy does not extend to land service, nor to service on board of public ships of war, commonly called men-of-war.

Article XXII. This is a reasonable and usual provision in affirmance of the laws of nations, and calculated to prevent war.

Article XXIII. This article merely stipulates those rights of hospitality which the courtesy and humanity of nations owe to each other, and which it has been the endeavor of our government to observe. It does not extend to privateers, which are never denominated ships of war, and consequently does not interfere with our treaty with France as hitherto interpreted and acted upon.

Articles XXIV. and XXV. These articles, which are compatible with the rules of neutrality and the rights of belligerent nations, are becoming formulas in most modern treaties. They are to be found essentially in our treaties with France, Sweden, and partly if not wholly in that with Prussia, and in the treaty of 1786 between France and Great Britain. They stipulate:

I. That the enemies of one party shall not arm their privateers in the ports of the other.

II. That they shall not sell their prizes there.

III. That they shall not be allowed to purchase more provisions than are sufficient to carry them to the nearest port of the prince or state to which they belong.

IV. That the ships of war or privateers of the two contracting

parties may carry whithersoever they please the prizes made of their respective enemies, without being obliged on entering the ports of each other to pay fees, or being detained or seized or subject to search, except to prevent infractions of the laws of revenue, navigation, and commerce, or having cognizance taken of the validity of their prizes, and with free liberty to depart to the places mentioned in their commissions which they are to show.

V. That no shelter or refuge shall be given to such as have made prizes of each other's ships or vessels, but if forced by stress of weather to enter, their departure is to be hastened.

VI. That while the parties continue in amity, they will make no future treaty inconsistent with these *two articles.* But there is this *express proviso,* that *nothing in the treaty* shall be construed or operate contrary to *former and existing public treaties with other sovereigns or states.*

Hence while on the one hand these articles make no unreasonable stipulations in favor of Great Britain, they can by no possibility interfere with prior stipulations to France or any other power. If, consequently, there is any repugnancy, the treaty with Great Britain must give way to those prior treaties. There is only one particular in the conduct hitherto observed towards France in which the treaty with Great Britain will produce an alteration, that is *the selling of prizes in our ports;* because this indulgence has been granted not upon the ground of any obligation to do it to be found in our treaty with France, but upon that of there being no law of the United States against it. The 24th article of the present treaty will be a law against it, and will restrain it.

But nothing can be more proper; and I well remember, that when it was concluded to permit the selling of prizes, it was unanimously regretted that the Executive, for want of law, could not do otherwise. Because the measure had an unneutral aspect, permitting to one party a *military advantage* which our treaty with that party did not leave us at liberty to extend to the other; and was of very questionable propriety. The permission was of a nature to give much dissatisfaction to the other

powers. A revocation of it, therefore, by a treaty with one of those powers, is unexceptionably equitable. The clause which restrains the making of future treaties in the given case, has been grossly misunderstood. It is expressly confined to the two articles, and, for aught I see, is nugatory. For a treaty implies of itself, that while the contracting parties remain in amity, they shall make no subsequent treaty inconsistent with the prior one between those parties.

Articles XXVI., XXVII. These articles need no particular comment. They are liberal and equitable, and interfere with no interest or duty. The part which regards ambassadors and ministers, is calculated to avoid very delicate embarrassments, and to exclude intrigues and bad conduct in foreign ministers. It would be a valuable article in all our treaties.

Article XXVIII. The effect of this article is to enable either party in two years after the termination of the existing European war, to put an end to all the articles of the treaty except the first ten.

This, upon the whole, is a desirable ingredient. It makes the commercial part of the treaty a mere experiment of short duration, and enables each party, if any part of it should be found to work amiss, or if it thinks that upon the whole the treaty is not sufficiently advantageous, to put an end to it unless the parts not satisfactory can be amended, or the additional provisions which are desired can be agreed upon.

Article XXIX. This, which is the last article, provides merely for the ratification, and looks to future negotiations for more beneficial arrangements.

To these particular views of the different articles of the treaty, the following general views may be added.

The truly important side of this treaty is, that it closes, and upon the whole as reasonably as could have been expected, the controverted points between the two countries; and thereby gives us the prospect of repossessing our western posts, an object of primary consequence in our affairs, of escaping finally from being implicated in the dreadful war which is ruining Europe,

and of preserving ourselves in a state of peace for a considerable time to come.

Well considered, the greatest interest of this country in its external relations, is that of peace. The more or less of commercial advantages which we may acquire by particular treaties, are of far less moment. With peace, the force of circumstances will enable us to make our way sufficiently fast in trade. War, at this time, would give a serious wound to our growth and prosperity. Can we escape it for ten or twelve years more, we may then meet it without much inquietude, and may advance and support with energy and effect, any just pretensions to greater commercial advantages than we may enjoy.

It follows that the objects contained in the permanent articles are of real and great value to us. The price they will cost us in the article of compensation for the debts, is not likely to bear any proportion to the expenses of a single campaign to enforce our rights. The calculation is therefore a simple and a plain one. The terms are no way inconsistent with national honor. As to the commercial arrangements in the temporary articles, they can be of no great importance either way; if it were only for the circumstance that it is in the power of either party to terminate them within two years after the war. So short a duration renders them unimportant, however considered as to intrinsic merit.

Intrinsically considered, they have no very positive character of advantage or disadvantage. They will in all probability leave the trade between the two countries where it at present is.

Supplementary Remarks.

There is however one material circumstance in which this will not happen. The XVth article declares that there shall be no prohibition of the importation of, or exportation to and from the respective territories of the contracting parties, which shall not equally extend to all other nations. This permits us to carry to the British dominions any article the growth or manufacture of another country, which may be carried from such coun-

try to those dominions. This is a serious innovation on the British navigation act, and an important privilege to us.

It is to be remarked, however, that it does not secure to us the continuance of these discriminations in our favor, compared with foreign powers, which have in practice existed; but as these discriminations have always been revocable at the pleasure of the other party, and are evidently founded on the interest that party has to procure the supply from us, rather than from other quarters, the inference is that the security for the continuance of the advantage is as great as before.

The obstacle to its becoming matter of stipulation was, that it was deemed to be inconsistent with treaties with other powers.

Comparing this treaty with the commercial treaties heretofore entered into by the United States, the real advantage is on the side of the former.

As to the European dominions of the different powers, the footing will be essentially equal.

As to their colonies, Great Britain gives us greater advantages *by this treaty*, than any other nation having colonies *by its treaty*. There is nothing in any of our other treaties equivalent to the advantages granted to us in the British East Indies. To this may be added the advantages contained in the Canada article.

Against this may be set the stipulation that free ships shall make free goods; and the extended enumeration of contraband; but besides that these are provisions relative to a state of war, our experience in the present war, in reference to France, has shown us that the advantages expected are not to be counted upon.

Since then the permanent articles are of material consequence, the temporary ones of small importance; since our faith is preserved with other powers; since there are no improper concessions on our part, but rather more is gained than given, it follows that it is the interest of the United States that the treaty should go into effect.

But will it give no umbrage to France?

It cannot do it, unless France is unreasonable; because our

engagements with her remain unimpaired, and because she will still be upon as good a footing as Great Britain. We are in a deplorable situation if we cannot secure our peace, and promote our own interests, by means which not only do not derogate from our faith, but which leave the same advantages to France as to other powers with whom we form treaties. Equality is all that can be claimed from us. It is improbable that France will take umbrage, because there is no cause given for it; because there is no disposition on her part to break with us, and because her situation forbids a breach.

But will it not hinder us from making a more beneficial treaty with France?

This can only turn upon the question of equivalents to be given by us.

As to this, though our treaty with England would prevent in many particulars our giving preferences to France; yet there are still important points from the natural relations of commerce, which are open to arrangements beneficial to France, and which might serve as equivalents.

There is not leisure to enter into the detail, or this might be shown. It may however be mentioned, by way of example, that we may lower, or remove wholly, the duties on French wines, which would be one important item.

But it would be always very unwise to refrain from doing with one power, a thing which it was our interest to do, because there was a *possibility* that some other power might be willing to make a better bargain with us.

What evidence has France given that she is disposed to make such better bargain? All that she has hitherto proffered under her present government, has contemplated as the consideration *our becoming parties to the war.* As she will and ought to calculate her own interest, we ought to dismiss the expectation of peculiar favors. Favors, indeed, in trade, are very absurd, and generally imaginary things. Let it be remembered, too, that the short necessary duration of our treaty, leaves us a wide field future and not remote. But upon the whole, we shall be least likely to be deceived, by taking this as the basis of our

commercial system, that we are not to make particular sacrifices to, nor expect particular favors from any power.

It is conceived, therefore, upon the whole, to be the true interest of the United States, to close the present treaty with Great Britain in the manner advised by the Senate.

A. HAMILTON.

MILITARY PAPERS.

SECRETARY OF WAR TO HAMILTON.

WAR DEPARTMENT, July 25th, 1798.

SIR:

I am directed to inform you that the President of the United States, by and with the advice and consent of the Senate, has appointed you Inspector-General, with the rank of Major-General, and to transmit you your commission made out accordingly.

It may be proper to mention, that the nominations to the Senate for the general officers of the established and provisional army, were presented on the same day, and in the order in which they appear in the annexed list; and that in registering them in this department, the same order will be observed.

Permit me to add to this information, that as no command can be immediately given to the general officers, the President conceives they will consider it proper that the pay and emoluments of their respective commissions ought not to commence previous to their being called into actual service, and to flatter myself that all considerations of a private nature will yield to the crisis, and afford me the pleasure of communicating your acceptance to the President.

I am, sir, with great respect, your obedient servant,

JAMES MCHENRY.

HAMILTON TO M'HENRY.

PHILADELPHIA, July 28, 1798.

SIR:

I last evening had the honor of receiving your letter of the 25th inst., announcing to me my appointment as Inspector and Major-General. At a crisis like the present, I esteem it my duty to obey the call of the government. Feeling, too, as I ought, the value of the high confidence which is reposed in me, I beg you to convey to the President my most cordial acknowledgments, and the assurance of my best endeavor to merit it.

With great respect and esteem, I am, sir, &c.

HAMILTON TO M'HENRY.

July 28th, 1798.

Allow me to remind you of my nephew, Philip Church, whom I warmly recommend for a captaincy in the infantry.

He is the eldest son of his father; has had a good education; is a young man of sense, of genuine spirit and worth—of considerable expectations in point of fortune. I shall esteem his appointment to this grade a personal favor, while I believe that it will consist with every rule of propriety.

HAMILTON TO M'HENRY.

PHILADELPHIA, July 30th, 1798.

DEAR MCHENRY:

Scruples of delicacy have occasioned me to hesitate about offering to you certain ideas which it appears to me, on mature

reflection, cannot be withheld consistently either with friendship to you, or regard to the service.

I observe you plunged in a vast mass of details. I know from experience, that it is impossible for any man, whatever be his talents or diligence, to wade through such a mass, without neglecting the most material things, and attaching to his operations a feebleness and sloth of execution. It is essential to the success of the minister of a great department, that he subdivide the objects of his care, distribute them among competent assistants, and content himself with a general but vigilant superintendence. This course is particularly necessary when an unforeseen emergency has suddenly accumulated a number of new objects to be provided for and executed.

Hence you will give me leave, in all the frankness of friend ship, to express to you an opinion that you will do well to call effectually to your aid the Inspector-General, and likewise Major-General Knox, and to charge them with the management of particular branches of the service.

You already contemplate, and very properly, that the Inspector-General shall occupy himself in preparing a system of tactics and discipline. But will it not be expedient and natural to charge him also with superintending the recruiting service? and may he not be made useful in other ways to the business of the department? General Knox, if he can be drawn to the seat of government, may be rendered extensively useful, especially in whatever relates to the *artillery* branch.

But you will perceive that ideas of this sort presuppose an abandonment of the plan of suspending the emoluments of these officers. They cannot afford to give their time and attention without compensation. As to myself, I must be free to confess that this is utterly impossible. I have the less embarrassment in making the declaration, because it must be obvious that the plan is against my pecuniary interest. Serious occupation in my military office must involve the relinquishment substantially of my profession; and the exchange of from three to four thousand pounds for the compensation of Inspector-General, is evidently but a sorry bargain.

Yours, truly, &c.

ADAMS TO HAMILTON.

QUINCY, September 4, 1798.

SIR:

I have received your favor of the 22d of August, recommending Colonel Toussard to be Inspector of Artillery.

I have no reason to suspect that your entire confidence in his honor and fidelity is misplaced. But as his native country is France, and his speech betrays his original, I am very apprehensive that in a French war, neither the army nor the people would be without their jealousies and suspicions, which might be very injurious to the service.

I shall take the subject into consideration, and your judgment will have great weight. There has been already so much uneasiness expressed on account of the French officers in the artillery, that I expect much difficulty.

I have the honor to be, Sir,

Your most obedient servant,

JOHN ADAMS.

ADAMS TO HAMILTON.

QUINCY, October, 17, 1798.

SIR:

I have received, last night, a letter from his Excellency Governor Jay, enclosing a copy of an act of the legislature of New-York, for the further defence of that State, and for other purposes.

The Governor observes that it appears to be the intention of that act, that the money appropriated in it, 150,000 dollars, shall be laid out only in the manner which the national government will recognize as useful and advisable, and His Excellency proposes to my consideration whether it would not be expedient to authorize Major-General Hamilton, as a national officer in whom

great confidence may be placed, to concert with the Governor the plan of laying out the money to the best advantage, and to appoint the General to superintend the execution of it.

I have not hesitated to comply with the Governor's request, saving all right of the legislature of the United States.

Accordingly I hereby request you, sir, to concert with His Excellency the plan, and to superintend the execution of it, at least, until some other arrangement shall be made, if any other should hereafter be thought expedient.

With great esteem, I have the honor to be, Sir,

Your obedient and humble servant,

JOHN ADAMS.

Major-General ALEXANDER HAMILTON, New-York.

HAMILTON TO M'HENRY.

NEW-YORK, October 19, 1798.

SIR:

I was yesterday honored with your letter, transmitting my commission as Inspector and Major-General.

Agreeably to your desire, I hold myself prepared to attend you within the period you assign. But as the object appears to embrace a concert of advice and assistance with General Knox (who cannot be expected in much less than the utmost limit of the time prescribed), I shall permit myself to defer my journey so as to reach you about the first of November, unless I am told that an anticipation of that day is deemed requisite.

I cannot but observe with satisfaction the conclusion of your letter as to the relative rank of the three Major-Generals.

I received at the same time your letter of the 11th instant, having been absent from the city for five days past.

I shall to-day confer with Major Hoops and Colonel Stevens on the subject of it, chiefly to ascertain the actual state of things, and by to-morrow's post will communicate my opinion.

HAMILTON TO GOVERNOR JAY.

NEW-YORK, October 29, 1798.

SIR:

I received this day a letter from the President of the United States, requesting me to concert with you the plan and to superintend the execution of it, for giving effect to the act of the legislature of this State, and for other purposes. This I am accordingly ready to do whenever you shall be pleased to require it.

HAMILTON TO WASHINGTON.

NEW-YORK, October 29, 1798.

DEAR SIR:

Some ill health in my family, now at an end, as I hope, interfered with an earlier acknowledgment of your favor of the 21st instant. The contents cannot but be gratifying to me. It is my intention, if not prevented by further ill health in my family, to proceeed on the first of November, to Trenton. My aid to the Secretary to the full extent of what he shall permit me to afford, will not be withheld. But every day brings fresh room to apprehend that, whatever may be the props, the administration of the War Department cannot prosper in the present *very well* disposed but very *unqualified* hands.

Most respectfully and affectionately,
I have the honor to remain, dear Sir,
Your obliged and obedient,
A. H.

G. WASHINGTON.

WASHINGTON TO HAMILTON.

PHILADELPHIA, Nov. 12th, 1798.

SIR:

Herewith you will be furnished with a copy of a letter from the Secretary of War to me, suggesting many very important matters for consideration and to be reported on.

It is my desire that you will bestow serious and close attention on them, and be prepared to offer your opinion on each head, when called upon.

I also propose, for your consideration and opinion, a number of queries which had been noted by me, previous to the receipt of the Secretary's letter (now inclosed). In stating these, I had endeavored to avoid, and make them additional to, the objects which the Secretary of War, in a letter to me, dated the 16th ultimo, informed me would be subjects for my consideration. I find, however, that several of them, in substance, are contained in his last letter; but as they were digested previous thereto, and written, I shall, to save copying, lay them before you as they are, without expunging those parts which now appear in the Secretary's statement.

With very great esteem and regard,

I am, Sir,

Your most obd't servant,

GEORGE WASHINGTON.

M'HENRY TO WASHINGTON.

Questions submitted to the Commander-in-Chief.

WAR DEPARTMENT, November 10, 1798.

SIR:

It appears by a letter from the President, dated Quincy, October 22d, 1798, that it will not be in his power to be in Phila-

delphia till near the time fixed upon for the meeting of Congress. In order, however, to prevent any injury to the public service, as it respects officering the troops directed to be raised by the late acts of Congress, he has written to me as follows: "If you and the generals judge it necessary to appoint the officers of battalions before we can have opportunity to nominate them to the Senate, you may fill up the commissions with the blanks you have, or, if you have not enough, send new ones by post."

I have thought it proper, in pursuance of this authority, to submit to you a list of all those persons, who have been recommended for commissions in the army, with their letters of pretensions, and also a list of all the officers of the revolutionary army; and to request that you will, with the aid of Generals Hamilton and Pinckney, prepare from these, and any other sources of information, a list of the most deserving and suitable characters, in your estimation, to fill the different grades to which the authority cited applies.

I have also, in conformity with my letter to you, dated the 16th of August ultimo, to request that you would submit to Generals Hamilton and Pinckney (General Knox having declined his appointment) the following questions, and that you would be pleased to take the same into mature consideration, and report to me the result of your deliberations.

1. Will it be expedient and proper to select the officers and raise the men for the twelve regiments of infantry and six companies of cavalry from the following districts, and in the following proportions, or as nearly so as circumstances will admit? *First;* the officers and men for four regiments of infantry from within the States of New Hampshire, Massachusetts, Connecticut, Rhode Island, and Vermont. *Secondly;* the officers and men for four regiments of infantry from within the States of New-York, New Jersey, Pennsylvania, Delaware, and Maryland. *Thirdly;* the officers and men for four regiments of infantry from within the States of Virginia, Kentucky, North Carolina, Tennessee, South Carolina, and Georgia. *Fourthly;* the whole or a principal part of the officers and men of the six companies of cavalry from within the district where it is most likely they will have to serve.

2. If these questions are determined in the affirmative, then whether, in making the selection of officers, the least exceptionable rule for determining the numbers to be taken from each State within the respective divisions aforesaid will not be by their relative number of inhabitants according to the census, whenever the application of this rule will not introduce the least worthy, to the exclusion of more meritorious characters.

According to this rule, the following table will exhibit pretty nearly the proportion of officers and men to be drawn from the respective States for the twelve regiments of infantry.

States.	Infantry.	Lt.-Cols.	Majors.	Captains.	Lieuts.	Ensigns.
New Hampshire	396	1	1	4	4	4
Massachusetts	1326	2	4	20	20	20
Rhode Island	192			3	3	3
Connecticut	663	1	2	10	10	10
Vermont	239		1	3	3	3
New-York	719	1	2	10	10	10
New Jersey	380	1	1	6	6	6
Pennsylvania	917	1	2	13	13	13
Delaware	126		1	1	1	1
Maryland	676	1	2	10	10	10
Virginia	1400	2	4	20	20	20
North Carolina	630	1	2	9	9	9
South Carolina	420	1	1	6	6	6
Georgia	140		1	2	2	2
Kentucky	140			2	2	2
Tennessee	86			1	1	4

3. Whether, in the present state of things, it is expedient and proper to proceed *immediately* to the appointment of the officers, or to suspend their appointment until the meeting of Congress.

4. Whether, in the present state of our foreign relations, it is expedient and proper to proceed, immediately after the appointment of the officers, to recruit the whole of the twelve regiments of infantry, and six companies of cavalry. If inexpedient to recruit the whole, then what part thereof will it be proper to recruit, and in which district or districts of the Union?

5. Whether, if determined that a part only ought to be forthwith recruited, it will be expedient, notwithstanding, to appoint the whole of the officers; and whether it ought to be signified to them, that they are not to be entitled to pay, &c., previous to being called into actual service.

6. Will it be expedient and proper to withdraw any of the troops stationed upon the northwestern and southern frontiers, namely, on the Lakes, between the Lakes and the rivers Ohio and Mississippi, and on the Tennessee and Georgia frontier bounding on the Indians and the river St. Mary's, with a view to reinforce the troops on the seaboard frontier?

7. The stations of the before mentioned troops and their numbers will be seen by the annexed return and letters from Brigadier General Wilkinson. If inexpedient that any of these should be withdrawn, will it be proper to reinforce them with the two companies, directed by a late act of Congress to be added to each of the old regiments of infantry?

8. What distribution, under the present aspect of affairs, ought to be made of the troops and recruits *now* on our seaboard frontier, the description, places of rendezvous, stations, and numbers of which are exhibited in the annexed return?

9. What number of the *troops to be raised* ought to be stationed in the respective divisions aforesaid, and in what places?

10. Will it be best for the service and discipline, that the recruits should be supplied by contracts at the enlisting rendezvous, as now practised; or to allow to each recruit a fixed sum *per diem* in lieu of his ration, previous to his joining the general rendezvous or encampment within his division?

11. Ought the army when in the field to be supplied with rations by means of purchasing and issuing commissaries, or by contract, as at present?

12. What quantity and kinds of cannon, field-artillery, military stores, and other articles necessary to an operating army, such as may be raised, will it be proper to procure, in addition to what is exhibited as on hand, agreeably to the annexed return by the superintendent of military stores, and that may be expected to be procured in consequence of the annexed letter from the Secretary of the Treasury?

13. Our greatest deposits of artillery and military stores are at Springfield in Massachusetts, and Philadelphia in Pennsylvania. We are besides forming magazines near Harper's Ferry, on the Potomac, in Virginia, and at Fayetteville, in North Carolina. Ought there to be any other places established for principal magazines than these four, and the subordinate deposits mentioned in the aforesaid return?

As it will be proper, in the course of your deliberations, to ascertain from the Secretary of the Treasury whether he can furnish the moneys necessary for the military service, I inclose an estimate made out some time since, showing the money which I thought would be required, and the periods at which it might be wanted, for the maintenance of the old and new army; and to provide certain military articles, for which appropriations have been made by late acts of Congress, and for clothing for the provisional army.

It may also be proper, that you should confer with the Secretary of State on the subject of our foreign relations, as well as the Secretary of the Treasury on the extent and reliance which may be placed on our resources and finances, to assist you to mature your opinion upon some of the points submitted. I need not add, that the Secretary of State and the Secretary of the Treasury will cheerfully give you every information, which you may think it necessary to request.

With the greatest respect,

I have the honor to be, Sir,

Your most obedient and humble servant,

JAMES M'HENRY.

WASHINGTON TO HAMILTON AND PINCKNEY.

Queries propounded by the Commander-in-Chief to Majors General Hamilton and Pinckney.

PHILADELPHIA, November 10th, 1798.

1st. Is an invasion of the United States, by France, to be apprehended, whilst that power continues at war with Great Britain?

2d. In case such an invasion should take place, what part of the United States, in their opinion, is most likely to be first attacked?

3d. Is it probable that the French will, in the way of exchange, or by other means, become possessed of the Floridas and Louisiana?

4th. In case of such an event, what, probably, will be the consequences, as they relate to the United States? What measures will be best to counteract them? And can those measures be carried into effect *promptly*, by the Commander-in-Chief of the armies? Or, must they be previously submitted to the War Office? ☞ This question, it will be perceived, presupposes a force in existence.

5th. What can be done to supply our *present* deficiency of engineers? From whence and by what means are they to be obtained? Should a *Frenchman* be employed *at any rate?*

6th. Would not riflemen, in place of light infantry, be eligible as a component part of each regiment; and, in that case, would Ferguson's Rifles claim a preference?

7th. Under the idea that each grand division of the United States is to furnish four regiments of the augmented forces, and each State, according to the census, the population, or medium between the two, is to raise its proportion; how many places in each (its extent being considered), and where, ought to be assigned as rendezvouses, during the recruiting service? At what place ought the *general* rendezvous in each State to be fixed, during the said period? And at what place or places in the

United States ought the augmented force to assemble? If at more than one place, how many, where, and the number at each?

8th. Of how many pieces of ordnance, of what sorts, and of what calibre, ought the park of artillery to consist, independently of what is attached to brigades or regiments? And how many ought each of these to have?

9th. Would it be advisable (after an adequate force is recruited) to withdraw the troops which at present occupy the posts on our northern and western frontiers, and replace them with new raised corps?

10th. Of how many ranks do the French form their line of battle *generally?* Do they make much use of pikes? And would it be an eligible weapon with which to arm part of our soldiery, as that is the nation with which we expect to contend? General Pinckney may, from personal observation, be enabled to solve these two questions?

Queries relative to smaller matters, but meriting consideration, as an army is now commencing more systematically than formerly; the rules, regulations, and distinctions in which, may give a tone to measures which may prevail hereafter.

1st. If the clothing of the regiments, and the fashion of their clothing, with distinctions between one regiment and another, are not already ordered by the proper authority, and in track of execution, what had they best be?

2d. Would not cotton or (still more so) flannel be advisable for shirting and linings for the soldiery?

3d. What had best be the distinctions in dress, in the badges, and other peculiarities, between the Commander-in-Chief and his suit, and the Majors General and their aids? Between the latter and the Brigadiers and theirs? And between these, again, and the regimental officers? Also among the regimental officers themselves, commissioned and non-commissioned? And whether the staff (not in the line of the army) of the different departments, both commissioned and warrant officers, ought not to be designated by their dress, or some appropriate mark or

badge? and in every case, and at all times, in the camp or field, be compelled to wear them, as well for the purpose of denoting the corps to which they belong, as a mean by which irregularities, rioting, and improper conduct may be discovered with more ease?

4th. As there has been many objections to, and remarks made upon, the black cockade (being that of Great Britain), might not something be devised, by way of annexation thereto, to distinguish it from that of any other nation? I have seen—and it appeared to have no bad effect—a small eagle (of pewter, tin, and, in some instances, silver), fixed by way of button in the centre of a rose cockade, which was not only very distinguishable, but somewhat characteristic.

The sooner these queries are taken into consideration, and opinions given on them, more agreeable will it be to

GEORGE WASHINGTON.

HAMILTON TO JAY.

PHILADELPHIA, Nov. 19, 1798.

SIR:

Your letter of the 5th November has recently reached me at this place, and found me amongst avocations that scarcely leave me a moment to spare.

You will probably have learned from General Clarkson that the survey of the port has been completed.

But I do not recollect that I have had any answer to a suggestion in one of my letters respecting the employment of engineers to assist in forming the desired plan.

This appears to me an essential preliminary. It is very possible the contrary may have been said to you by persons of whose intelligence you may have a good opinion. Self-sufficiency and a contempt of the science and experience of others are too prevailing traits of character in this country.

But as far as I am to be concerned auxiliary lights are a *sine qua non.*

I do not feel myself adequate to the complicated task of an engineer unaided by men of more technical knowledge than myself.

JAY TO HAMILTON.

ALBANY, 26th November, 1798.

DEAR SIR:

I was this morning favored with yours of the 19th instant, in which you observe that you do not recollect to have had any answer to a suggestion in one of your letters respecting the employment of engineers to assist in forming the desired plan for fortifying the port of New-York. No letter containing such a suggestion has reached me, those of the 8th of September and 29th of October, being the only ones on the subject of fortifying New-York which I have received from you since the passing of the act, do not contain any thing about engineers.

The plan, doubtless, should be formed under all attainable advantages, and I not only agree, but desire, that you avail yourself of all the important aids within your reach, and I will provide for the expense. It is proper, however, to bear in mind the provision of the act, that the money appropriated by it to this object, be expended under the direction of the President of the United States. It is therefore proper that the plan in question should be formed as much as possible under the auspices of the national government, and with the aid and approbation of the officers they most confide in. I presume the President will, on your application, readily direct any of the engineers in the service to assist in it, and I shall, on receiving the least hint from you, be ready to request that favor from him.

If, in the course of business, you should think any measures on my part necessary or useful, I will thank you to mention them.

HAMILTON TO M'HENRY.

PHILADELPHIA, November, 1798.

SIR:

I now communicate the result of my conference with the Commander-in-Chief and General Pinckney, on the subject of extra allowance to officers detached on service, so as to be obliged to incur expenses on the road, and at places where there are no military posts.

We are all of opinion, that in such cases an extra allowance ought to be made, and this even to officers who receive extra compensations for peculiar duties, such as inspectors, quarter-masters, &c. These extra compensations are considered as relative to ideas of *greater skill* or *greater trouble*, rather than to that of greater expense, in the execution of the offices to which they are annexed. Without extra allowance in the cases in question, it is easy to see that officers may exhaust in extra expenses their whole pay, and that great difficulty must be experienced in finding fit characters to execute employments which may expose these persons to frequent journeys. It is useless to say that the principle will not apply where the law shall have specifically provided for travelling expenses.

But the greatest embarrassment is to settle the rule of extra allowances. Shall they be left at large on the ground of reasonable expenses according to circumstances, or shall fixed rates be attempted? The former is liable to great abuse, and the latter is not easy to be regulated so as to unite economy with justice. It is, however, our opinion that it ought to be attempted.

In adjusting a rate or rates, it is to be remembered, that the officer receives established allowances for his time, service and expenses. A full compensation is not therefore to be aimed at in the extra allowances, but something proportioned to the probable excess of expense. This has governed the estimate which is now submitted, viz. a dollar and a quarter per day for man and horse for each day, that the officer must sleep at a place not a military post, and when the officer is of a rank to be

entitled to a servant, then the addition of three quarters of a dollar per day for the servant and his horse. This to apply to all but the seat of government and the principal town in each State. At such places the allowance to be a dollar and a half for the officer and his horse, and a dollar for the servant and his horse. It is understood that the established allowances to the officer go on at the same time.

The case of an officer detached from one military post to another which he may reach the same night, but yet so far distant as to incur expense on the road, was not provided for in the above arrangement.

It is my opinion that half a dollar per day will suffice for such cases, and this only where the distance is not less than forty miles. The servant may in such cases, without inconvenience, take his provisions with him.

It may, perhaps, be expedient to regulate a day's journey by a number of miles, and for this the following proportions may not be improper: forty miles to a day, when the whole distance does not exceed two hundred miles; thirty to a day for all above two hundred, and not exceeding three hundred and fifty, and twenty-five to a day for all above three hundred and fifty, and not exceeding six hundred; twenty to a day for all above six hundred.

But while these rates are offered as the general rule, it is foreseen that there may arise extraordinary cases where greater allowances may be indispensable. Such cases must be referred to the special discretion of the head of the War Department, to be assisted by a certificate from the commanding officer, by whom the officer claiming was detached on the special service, stating the reasons and circumstances. It is my opinion too, on which point also I have not consulted any other, that the rates ought not to retrospect but ought to be established for the future, and that in all past and intervening cases, applying only the general principle, reasonable expenses, according to circumstances, ought to govern. The application of a new rule may *produce hardship and injustice* when the service may have been performed in the expectation that practice on former occasions would prevail.

HAMILTON TO WASHINGTON.

December 13th, 1798.

General Hamilton presents his respects to the Commander-in-Chief, and sends the sketch of a letter, in conformity to what passed this morning.

WASHINGTON TO M'HENRY, SECRETARY OF WAR.

Draft by Hamilton.

PHILADELPHIA, December 13th, 1798.

SIR:

Since my arrival at this place, I have been closely engaged, with the aid of Generals Hamilton and Pinckney, in fulfilling the objects of your letter of the 10th of November. The result is now submitted.

The first two questions you propose, respecting the appointment of the officers and men of the troops to be raised, in virtue of the act of Congress of the 16th of July last, among districts and States, will naturally be answered together.

1. As to the appointment of the commissioned officers of the infantry, no particular reason is discovered to exist at the present period for combining the States into districts; but it is conceived to be expedient to adopt as a primary rule the relative representative population of the several States. The practice of the government on other occasions in the appointment of public officers, has had regard, as far as was practicable, to the same general principle, as one which, by a distribution of honors and emoluments among the citizens of the different States, tends both to justice and to public satisfaction. This principle, however, must frequently yield to the most proper selection of characters among those willing as well as qualified to serve, and sometimes to collateral considerations, which, arising out of par-

ticular cases, do not admit of precise specification. In the application of the rule in this, as in other instances, qualifications of it must be admitted. The arrangement, which will be now offered, proceeds on this basis. You will observe, that it does not deviate from the table you have presented.

2. As to the non-commissioned officers and privates, it is conceived to be both unnecessary and inexpedient to make any absolute appointment among the States. It is unnecessary, because, contemplating it as desirable that the men shall be drawn in nearly equal proportions from the respective States, this object, where circumstances are favorable, will be attained by the very natural and proper arrangement of assigning to the officers, who shall be appointed, recruiting districts within the States to which they belong. It is inexpedient, because if it shall happen, that the proportion of fit men cannot easily be had in a particular State, there ought to be no obstacle to obtaining them elsewhere.

3. As to the officers of the dragoons, it does not seem advisable to confine the selection to any subdivision of the United States. Though very strong conjectures may be formed, as to the quarter in which they would probably be employed in the case of invasion, there can be nothing certain on this point, if this were even the criterion of a proper arrangement. And it may be presumed, that it will conduce most to the general satisfaction to exclude considerations of local aspect. But from the small number of this corps, which is to be raised, it would be found too fractional, and, for that among other reasons, inconvenient to aim at a proportional distribution among all the States. It is therefore supposed most advisable to be governed principally by a reference to the characters, who have occurred as candidates; leaving the inequality in the distribution to be remedied in the event of a future augmentation of this description of troops. The proportion at present is in various views inadequate; a circumstance, which it may be presumed will of course be attended to, should the progress of public danger lead to an extension of military preparations.

The materials furnished by you, with the addition of those

derived from other sources, are insufficient for a due selection of the officers, whom it is proposed to allot to the States of Connecticut, North and South Carolina, and Georgia. Hence the selection for these States must of necessity be deferred. It is conceived, that the best plan for procuring the requisite information and accelerating a desirable conclusion, as to the three last mentioned States, will be to choose Major General Pinckney, who will avail himself of the assistance of Brigadier Generals Davie and Washington, to make the arrangement of those officers provisionally, and subject to the ratification of the President. It will be in their power to ascertain who are best *qualified* among those *willing* to serve; which will at the same time assure a good choice, and avoid the disappointment and embarrassment of refusals. As to Connecticut, you are aware of the progress that has been made, and of the misapprehension which has occasioned an obstacle to a definitive arrangement. You will, it is presumed, be speedily in possession of the further information necessary, and, having it, can without difficulty complete the arrangement for this State.

The third, fourth, and fifth of your questions may likewise be answered together.

The act for augmenting the army is peremptory in its provisions. The bounds of executive discretion, as to the forbearance to execute such a law, might perhaps involve an investigation nice in its own nature, and of a kind which it is generally most prudent to avoid. But it may safely be said negatively, for reasons too plain to be doubted, that the voluntary suspension of the execution of a similar law could not be justified but by considerations of decisive cogency. The existence of any such considerations is unknown.

Nothing has been communicated respecting our foreign relations to induce the opinion, that there has been any change in the situation of the country, as to external danger, which dictates an abandonment of the policy of the law in question. It needs not now be examined how far it may be at any time prudent to relinquish measures of security, suggested by the experience of accumulated hostility, merely because there are probable

symptoms of approaching accommodation. It needs not be urged, that, if such symptoms exist, they are to be ascribed to the measures of vigor adopted by the government, and may be frustrated by a relaxation in those measures, affording an argument of weakness or irresolution. For, has it not been in substance stated from the highest authority, that no decisive indications have been given by France of a disposition to redress our past wrongs and do us future justice; that her decree, alleged to be intended to restrain the depredations of French cruisers on our commerce, has not given, and from its nature cannot give, relief; that the most hostile of the acts, by which she has oppressed the commerce of neutrals, and that which subjects to capture and condemnation neutral vessels and cargoes, if any part of the latter be of British production or fabric, not only has not been abrogated, but has recently received an indirect confirmation; and that hitherto nothing is discoverable in the conduct of France, which ought to change or relax our measures of defence?

Could it be necessary to enforce by argument so authoritative a declaration, as it relates to the immediate object of consideration, these, among other reflections, would at once present themselves.

Though it may be true, that some late occurrences have rendered the prospect of invasion by France less probable or more remote, yet, duly considering the rapid vicissitudes, at all times, of political and military events, the extraordinary fluctuations, which have been peculiarly characteristic of the still subsisting contest in Europe, and the more extraordinary position of most of the principal nations of that quarter of the globe, it can never be wise to vary our measures of security with the continually varying aspect of European affairs. A very obvious policy dictates to us a strenuous endeavor, as far as may be practicable, to place our safety out of the reach of the casualties, which may befall the contending parties, and the powers more immediately within their vortex. The way to effect this is to pursue a steady system, to organize all our *resources*, and put them in a state of preparation for prompt action. Regarding the over-

throw of Europe at large as a matter not entirely chimerical, it will be our prudence to cultivate a spirit of self-dependence, and to endeavor by unanimity, vigilance, and exertion, under the blessing of Providence, to hold the scales of our destiny in our own hands. Standing as it were in the midst of falling empires, it should be our aim to assume a station and attitude, which will preserve us from being overwhelmed in their ruins.

It has been very properly the policy of our government to cultivate peace. But, in contemplating the possibility of our being driven to unqualified war, it will be wise to anticipate, that frequently the most effectual way to defend is to attack. There may be imagined instances of very great moment to the permanent interests of this country, which would certainly require a disciplined force. To raise and prepare such a force will always be a work of considerable time, and it ought to be ready for the conjuncture whenever it shall arrive. Not to be ready, then, may be to lose an opportunity, which it may be difficult afterwards to retrieve.

While a comprehensive view of external circumstances is believed to recommend perseverance in the precautions, which have been taken for the safety of the country, nothing has come to my knowledge in our interior situation, which leads to a different conclusion. The principal inquiry in this respect concerns the finances. The exhibition of their state from the department of the Treasury, which you have transmitted, as I understand it, opposes no obstacle; nor have I been apprized, that any doubt is entertained by the officer, who presides in that department, of the sufficiency of our pecuniary resources. But on this point I cannot be expected to assume the responsibility of a positive opinion. It is the province of the Secretary of the Treasury to pronounce definitively, whether any insuperable impediment arises from this source.

The sound conclusion, viewing the subject in every light, is conceived to be, that no avoidable delay ought to be incurred in appointing the whole of the officers, and raising the whole of the men, provided for by the act which has been cited. If immediately entered upon, and pursued with the utmost activity, it

cannot be relied upon, that the troops will be raised and disciplined in less than a year. What may not another year produce? Happy will it be for us, if we have so much time for preparation, and ill-judged, indeed, if we do not make the most of it! The adequateness of the force to be raised, in relation to a serious invasion, is foreign to the present examination. But it is certain, that even a force of this extent, well instructed and well disciplined, would in such an event be of great utility and importance. Besides the direct effects of its own exertions, the militia rallying to it would derive, from its example and countenance, additional courage and perseverance. It would give a consistency and stability to our first efforts, of which they would otherwise be destitute; and would tend powerfully to prevent great, though perhaps partial calamities.

The Senate being in session, the officers to be appointed must of course be nominated to that body.

The pay of all who shall be appointed ought immediately to commence. They ought all to be employed, without delay, in different ways in the recruiting service; but, were it otherwise, there ought to be no suspension of their pay. The law annexes it as a matter of right. The attempt to apply a restriction by executive discretion might be dissatisfactory; and justice to the public does not seem to require it, because the acceptance of an office, which makes the person liable at pleasure to be called into actual service, will commonly from the moment of that acceptance interfere with any previous occupation, on which he may have depended. This observation cannot be applicable to myself, because I have taken a peculiar and distinct ground, to which it is my intention to adhere.

On the subject of your sixth question, the opinion is, that, under existing circumstances, it is not advisable to withdraw any of the troops from the quarter of the country, which you mention, towards the Atlantic frontier. But the disposition in those quarters probably requires careful revision. It is not impossible, that it will be found to admit of alterations favorable both to economy and to the military objects to be attained. The local knowledge of General Wilkinson would be so useful in an inves-

tigation of this sort, that it is deemed very important to direct him forthwith to repair to Philadelphia. If this be impracticable by land, he may, it is presumed, come by way of New Orleans. It is observed, that in his late communications with the Governor he has taken pains to obviate jealousy of the views of the United States. This was prudent, and he ought to be encouraged to continue the policy. It will also be useful to employ a judicious engineer to survey our posts on the Lakes, in order that it may be ascertained, in the various relations of trade and defence, what beneficial changes, if any, can be made. In this examination Presque Isle and the southwestern extremity of Lake Erie will demand particular attention.

The reply to your seventh question is, that the companies directed to be added to the regiments of the old establishments ought, as soon as convenient, to reinforce the western army. It is probable, that, in the progress of events, they will not be less useful there than on the seaboard. Their destination in the first instance may be Pittsburg.

The following disposition of the artillery (the subject of your eighth question) is recommended. The two regiments by their establishment consist of twenty-eight companies. Of these nearly a battalion, in point of number, forms part of the western army. A complete battalion there will suffice. Let there be assigned to the fortifications at Boston one company, to those at New-York two, to those at Newport two companies, to those at West Point one, to those at Mud Island two, to those at Baltimore one, to those at Norfolk two, to those on Cape Fear river one, to those at Charleston two, to those at Savannah one, to those at the mouth of the St. Mary's one. The remaining two battalions had best be reserved for the army in the field. During the winter they may retain the stations they now occupy. But, as soon as they can conveniently go into tents, it will be advisable to assemble them at some central or nearly central point, there to be put in a course of regular instruction, together with successive detachments of the officers and non-commissioned officers of the seaboard garrisons, until their services shall be actually required. The field-officers of course will be distributed proportionally,

assigning to each the superintendence of a certain number of companies, and, as to those in garrison, of the posts at which they are stationed.

The permanent distribution of the troops, after they shall have been raised, which is understood to be an object of your ninth question, will probably be influenced by circumstances yet to be unfolded, and will best be referred to future consideration.

An arrangement for the recruiting service is the point of primary urgency. For this purpose each State should be divided into as many districts, as there are companies to be raised in it, and to every company a particular district should be allotted, with one place of rendezvous in it, to which the recruits should be brought as fast as they are engaged. A certain number of these company districts, whenever it can be done, should be placed under the supervision of a field-officer. During the winter, in most of the States, it would be inconvenient to assemble in larger corps than companies. Great cities are to be avoided. The collection of troops there may lead to disorders, and expose, more than elsewhere, the morals and principles of the soldiery. But though it might now be premature to fix a permanent disposition of the troops, it may not be unuseful to indicate certain stations, where they may be assembled provisionally, and may probably be suffered to continue while matters remain in their present posture. The stations eligible in this view may be found for two regiments in the vicinity of Providence river, somewhere near Uxbridge; for two other regiments, in the vicinity of Brunswick, in New Jersey; for two other regiments, in the vicinity of the Potomac, near Harper's Ferry; for two other regiments, in the vicinity of Augusta, but above the falls of the Savannah. This disposition will unite considerations relative to the discipline and health of the troops, and to the economical supply of their wants by water. It will also have some military aspects, in the first instance, towards the security of Boston and Newport; in the second, towards that of New-York and Philadelphia; in the third and fourth, towards that of Baltimore, Charleston, Savannah, and the southern States generally; and,

in the third, particularly towards the reinforcement of the western army in certain events. But the military motives have only a qualified influence; since it is not doubted, that, in the prospect of a serious attack upon this country, the disposition of the army ought to look emphatically to the southern region, as that which is by far the most likely to be the scene of action.

As to your tenth question, the opinion is, that the government itself ought to provide the rations. The plan of furnishing money to the recruits, as a substitute for this, is likely to be attended with several inconveniences. It will give them a pretence for absence injurious to discipline and order, and facilitating marauding and desertion. Many of the soldiery will be disposed to lay out too much of their money in ardent spirits, and too little in provisions, which, besides occasioning them to be ill, will lead to habits of intemperance.

The subject of your eleventh question is peculiarly important. The two modes have severally their advantages and disadvantages. That of purchases by agents of the government is liable to much mismanagement and abuse, sometimes from want of skill, but much oftener from infidelity. It is too frequently deficient in economy; but it is preferable, as it regards the quality of the articles to be supplied, the satisfaction of the troops, and the certainty of the supply, which last is a point of the utmost consequence to the success of any military operation. The mode by contract is sometimes found more economical; but, as the calculations of contractors have reference primarily to their own profit, they are apt to endeavor to impose on the troops articles of inferior quality. The troops, suspecting this, are apt to be dissatisfied even when there is no adequate cause, and when defects may admit of reasonable excuse. In the attention to cheapness of price, and other savings of expense, it from time to time happens, that the supplies are not laid in as early as the service requires, or not in sufficient quantity, or are not conveyed with due celerity to the points where they are wanted. Circumstances like these tend to embarrass and even to defeat the best concerted military plans; which, in this mode,

depend for their execution too much upon the combinations of individual avarice. It also occasionally happens, that the public, from the failures of the contractors, is under the necessity of interposing with sudden and extraordinary efforts to obviate the mischiefs and disappointments of those failures, producing, in addition to other evils, an accumulation of expense, which the fortunes of the delinquent contractors are insufficient to indemnify.

The union of the two modes will probably be found safest and best. Prudence always requires, that magazines shall be formed beforehand at stations relative to the probable or expected scene of action. These magazines may be laid in by contract, and the transportation of the supplies from the magazines, and the issuing of them to the army, may be the business of the military agents, who must be likewise authorized and enabled to provide for the deficiencies of the contractors, and for whatever may not be comprehended in the contracts. This plan will to a great extent admit the competition of private interest to furnish the supplies at the cheapest rate. By narrowing the sphere of action of the public agents, it will proportionably diminish the opportunities of abuse, and it will unite, as far as is attainable, economy with the efficiency of military operations.

But, to obtain the full advantages of this plan, it is essential, that there shall be a man attached to the army, of distinguished capacity and integrity, to be charged with the superintendence of the department of supplies. To procure such a man, as military honor can form no part of his reward, ample pecuniary compensation must be given; and he must be intrusted with large authority for the appointment of subordinate agents, accompanied with a correspondent responsibility. Proceeding on this ground, there would be a moral certainty of immense savings to the public in the business of supplies; savings, the magnitude of which will be easily understood by any man, who can estimate the vast difference in the results of extensive money transactions between a management at once skilful and faithful, and that which is either unskilful or unfaithful.

This suggestion contemplates, as a part of the plan, that the

procuring of supplies of every kind, which in our past experience has been divided between two departments, of quartermaster and commissary, shall be united under one head. This unity will tend to harmony, system, and vigor. It will avoid the discordant influence of civil with military functions. The quartermaster-general, in this case, instead of being a purveyor as formerly, will, besides the duties purely military of his station, be confined to the province of calling for the requisite supplies, and of seeing that they are duly furnished; in which he may be rendering a very useful check upon the purveyor.

The extent of your twelfth question has been matter of some doubt. But no inconvenience can ensue from answering it with greater latitude than may have been intended. It is conceived, that the strongest considerations of national policy and safety require, that we should be as fast as possible provided with arsenals and magazines of artillery, small arms, and the principal articles of military stores and camp equipage, equal to such a force as may be deemed sufficient to resist with effect the most serious invasion of the most powerful European nation. This precaution, which prudence would at all times recommend, is peculiarly indicated by the existing crisis of Europe. The nature of the case does not furnish any absolute standard of the requisite force. It must be more or less a matter of judgment. The opinion is, that the calculation ought to be on the basis of fifty thousand men; that is, forty thousand infantry of the line, two thousand riflemen, four thousand horse, and four thousand artillerymen. And, with regard to such articles, as are expended by the use, not less than a full year's supply ought to be ready. This will allow due time from internal and external sources to continue the supply, in proportion to the exigencies which shall occur. As to clothing, since we may always on a sudden emergency find a considerable supply in our markets, and the articles are more perishable, the quantity in deposit may be much less than of other articles; but it ought not under present circumstances to be less than a year's supply for half the above mentioned force, especially of the woollen articles.

I proceed to the last of your questions, that which respects

the stations for magazines. It is conceived that three principal permanent stations will suffice, and that these ought to be Springfield and Harper's Ferry, which are already chosen, and the vicinity of Rocky Mount, on the Wateree, in South Carolina. These stations are in a great measure central to three great subdivisions of the United States; they are so interior as to be entirely safe, and yet on navigable waters, which empty into the ocean and facilitate a water conveyance to every point on our sea-coast. They are also in well-settled and healthy districts of country. That near Harper's Ferry, it is well known, possesses extraordinary advantages for founderies and other manufactories of iron. It is expected, that a canal will ere long effect a good navigation between the Wateree and the Catawba, which, whenever it shall happen, will render the vicinity of Rocky Mount extremely convenient to the supply of North Carolina by inland navigation. Pittsburg, West Point in New-York, the neighborhood of Trenton in New Jersey, and Fayetteville in North Carolina, may properly be selected as places of particular and occasional deposit. Large cities are as much as possible to be avoided.

The foregoing comprises, it is believed, a full answer to the questions you have stated. I shall in another letter offer to your consideration some further matters, which have occurred, and are deemed to be of importance to our military service. With respect and esteem, I have the honor to be, Sir, &c.

WASHINGTON TO M'HENRY.

Draft by Hamilton.

PHILADELPHIA, December 13th, 1798.

SIR:

I shall now present to your view the additional objects alluded to in my letter of this date.

A proper organization for the troops of the United States is a principal one. In proportion as the policy of the country is adverse to extensive military establishments, ought to be our care to render the principles of our military system as perfect as possible, and our endeavors to turn to the best account such force as we may at any time have on foot, and to provide an eligible standard for the augmentations to which particular emergencies may compel a resort.

The organization of our military force will, it is conceived, be much improved by modelling it on the following plan:

Let a regiment of infantry, composed as at present of two battalions, and each battalion of five companies, consist of these officers and men, namely, one colonel; two majors, a first and second; one adjutant, one quartermaster, and one paymaster, each of whom shall be a lieutenant; one surgeon and one surgeon's mate; ten captains; ten first and ten second lieutenants, besides the three lieutenants above mentioned; two cadets, with the pay and emoluments of sergeants; two sergeant-majors; two quartermaster-sergeants; two chief musicians, first and second, and twenty other musicians; forty sergeants; forty corporals; and nine hundred and twenty privates.

Let a regiment of dragoons consist of ten troops, making five squadrons, and, of these, officers and men, namely, one colonel; two majors, a first and second; one adjutant, one quartermaster, and one paymaster, each of whom shall be a lieutenant; one surgeon and one surgeon's mate; ten captains; ten first and ten second lieutenants, besides the three lieutenants above mentioned; five cadets, with the pay and emoluments of sergeants; two sergeant-majors; two quartermaster-sergeants; two chief musicians, first and second, and ten other musicians; forty sergeants; forty corporals; and nine hundred and twenty privates; the privates including, to each troop, one saddler, one blacksmith, and one boot-maker.

Let a regiment of artillery consist of four battalions, each battalion of four companies, and, of these, officers and men, namely, one colonel; four majors; one adjutant, one quartermaster, and one paymaster, each of whom shall be a lieuten-

ant; one surgeon and two surgeon's mates; sixteen captains; sixteen first and sixteen second lieutenants, besides the three lieutenants above mentioned; thirty-two cadets, with the pay and emoluments of sergeants; four sergeant majors; four quartermaster-sergeants; sixty-four sergeants; sixty-four corporals; one chief musician and ten other musicians; eight hundred and ninety-six privates, including, to each company, eight artificers.

The principal reasons for this organization will be briefly suggested.

It will be observed, that the proportion of men to officers in the infantry and cavalry is considerably greater than by the present establishment. This presents, in the first place, the advantage of economy. By the proportional decrease of the officers, savings will result in their pay, subsistence, and the transportation of their baggage. The last circumstance, by lessening the impediments of an army, is also favorable to the celerity of its movements.

The command of each officer will become more respectable. This will be an inducement to respectable men to accept military appointments, and it will be an incentive to exertion among those, who shall be engaged, by upholding that justifiable pride, which is a necessary ingredient in the military spirit.

A company will then admit of an eligible subdivision into platoons, sections, and demi-sections, each of a proper front. Each battalion will then be of the size judged proper for a manœuvring column in the field, and it is that portion of an army, which, in the most approved system of tactics, is destined to fulfil this object. A battalion ought neither to be too unwieldy for rapid movements, nor so small as to multiply too much the subdivisions, and render each incapable either of a vigorous impulse or resistance.

The proportion of officers to men ought not to be greater than is adequate to the due management and command of them. A careful examination of this point will satisfy every judge, that the number now proposed will be equal to both. This conclusion

will be assisted by the idea, that our fundamental order, in conformity with that of the nations of Europe generally, ought to place our infantry in three ranks, to oppose to an enemy, who shall be in the same order, an equal mass for attack or defence.

These remarks explain summarily the chief reasons for the most material of the alterations suggested.

But it is not the intention to recommend a present augmentation of the number of rank and file to the proposed standard. It is only wished, that it may be adopted as that of the war establishment. The regiments, which have been authorized, may continue in this respect upon the footing already prescribed; leaving the actual augmentation to depend on events, which may create a necessity for the increase of our force. The other alterations recommended have relation rather to systematic propriety, than to very important military ends.

The term *lieutenant-colonel*, in our present establishment, has a relative signification, without any thing in fact to which it relates. It was introduced during our revolutionary war, to facilitate exchanges of prisoners; as our then enemy united the grade of colonel with that of general. But the permanent form of our military system ought to be regulated by principle, not by the changeable and arbitrary arrangement of a particular nation. The title of colonel, which has greater respectability, is more proper for the commander of a regiment, because it does not, like the other, imply a relation having no existence.

The term *ensign* is changed into that of lieutenant, as well because the latter from usage has additional respectability, offering an inducement to desirable candidates, as because the former, in its origin, signified a standard-bearer, and supposed that each company had a distinct standard. This, in practice, has ceased to be the case, and for a variety of good reasons a stand of colors to each battalion of infantry is deemed sufficient. This standard is intended to be confided to a cadet, in whom it may be expected to excite emulation and exertion. The multiplication of grades, inconvenient with regard to exchanges, is thus avoided.

In the cavalry it is proper to allow a standard to each

squadron, and hence it is proposed to have five cadets to a regiment.

The nature of the artillery service, constantly in detachment, renders it proper to compose a regiment of a greater number of battalions than the other corps. This our present establishment has recognized. But there is now want of uniformity, which leads to disorderly consequences; one regiment being composed of four battalions, the other of three. The same organization ought to be common to all.

The diminution of the number of musicians, while it will save expense, is also warranted by the peculiar nature of the artillery service. They answer in this corps few of the purposes which they fulfil in the infantry.

The existing laws contemplate, and with good reason, that the aids-de-camp of general officers, except the commander-in-chief and the officers in the department of inspection, shall be taken from the regiment. But they do not provide, that, when so taken, their places shall be supplied by others. It is conceived that this ought to be the case. The principles of the establishment suppose, for example, that three officers to a company of a given number are the just and due proportion. If, when an officer be taken from a company to fill one of the stations alluded to, his place be not filled by another, so that the number of officers to a company may remain the same, it must follow that the company will be deficient in officers. It is true, that the number of a company is continually diminishing, but it diminishes in officers as well as men; and it is not known that the proportion is varied. Practice in every institution ought to conform to principle, or there will result more or less of disorder. An army is in many respects a machine; of which the displacement of any of the organs, if permitted to continue, injures its symmetry and energy, and leads to disorder and weakness. The increase of the number of rank and file, while it strengthens the reasons for replacing the officers, who may be removed, will more than compensate in point of economy for the addition of officers by the substitution. This may be reduced to the test of calculation. But, though the place of an officer in his regiment

ought to be supplied upon any such removal, he ought not to lose his station in the regiment, but ought to rank and rise as if he had continued to serve in it.

The provision, that the aids-de-camp and the officers of inspection shall be drawn from the line of the army, is not restricted as to grade. There ought to be such a restriction. The aids of major-generals ought not to be taken from a rank superior to that of captain, nor those of brigadiers from a rank superior to that of first lieutenant. The inspectors ought in like manner to be limited, those of brigadiers to the rank of captain, those of divisions to that of major. This will guard against the multiplication of superior grades by removals to fill such stations.

The judicious establishment of general rules of promotion, liable to exceptions in favor of extraordinary service or merit, is a point of the greatest consequence. It is conceived, that these rules are the most convenient that can be devised; namely, that all officers shall rise in the regiments to which they respectively belong up to the rank of major inclusively; that afterwards they shall rise in the line of the army at large, with the limitation, however, that the officers of artillery, cavalry, and infantry shall be confined to their respective corps until they shall attain the rank of colonel.

It is very material to the due course of military service, that the several classes of an army shall be distinguished from each other by certain known badges, and that there shall be uniformity in dress and equipment subject to these distinctions. The dress itself will indeed constitute a part of them. It is of inferior moment, what they shall be, provided they are conspicuous, economical, and not inconsistent with good appearance, which in an army is far from being a matter of indifference. The following uniforms and badges are recommended; but, if any of them are supposed liable to exception, they may be changed at pleasure.

The uniform of the commander-in-chief to be a blue coat, with yellow buttons and gold epaulets (each having three silver stars), with linings, cape, and cuffs of buff; in winter, buff vest

and breeches; in summer, a white vest, and breeches of nankeen. The coat to be without lapels, and embroidered on the cape, cuffs, and pockets. A white plume in the hat to be a further distinction. The adjutant-general, the aids, and secretaries of the commander-in-chief to be likewise distinguished by a white plume.

The uniform of the other general officers to be a blue coat with yellow buttons, gold epaulets, the lining and facings of buff; the under clothes the same as those of the commander-in-chief. The major-generals to be distinguished by two silver stars on each epaulet, and, except the inspector-general, by a black and white plume, the black below. The brigadiers to be distinguished by one silver star on each epaulet, and by a red and white plume, the red below. The aids of all general officers, who are taken from regiments, and the officers of inspection, to wear the uniforms of the regiments from which they are taken. The aids to be severally distinguished by the like plumes, which are worn by the general officers to whom they are respectively attached.

The uniform of the aids and secretaries of the commander-in-chief, when not taken from regiments, to be a blue coat with yellow buttons and gold epaulets, buff lining and facings; the same under clothes as the commander-in-chief.

The inspector-general, his aids, and the officers of the inspection generally, to be distinguished by a blue plume. The quartermaster-general and other military officers in his department to be distinguished by a green plume.

The uniform of the infantry and artillery to be a blue coat, with white buttons and red facings, white under clothes, and cocked hats. The coats of the infantry to be lined with white; of the artillery, with red.

The uniform of the cavalry to be a green coat, with white buttons, lining, and facings; white vest and breeches; with helmet caps.

Each colonel to be distinguished by two epaulets, each major by one epaulet on the right shoulder, and a strap on the left. All the field-officers, except as above, and the regimental staff, to wear red plumes.

Captains to be distinguished by an epaulet on the right shoulder. Lieutenants by one on the left shoulder. Cadets by a strap on the right shoulder. The epaulets and straps of the regimental officers to be of silver.

Sergeant-majors and quartermaster-sergeants to be distinguished by two red worsted epaulets. Sergeants by a like epaulet on the right shoulder. The flank companies to be distinguished by red wings on the shoulders.

The coats of the musicians to be of the color of the facings of the corps to which they severally belong. The chief musicians to wear two white worsted epaulets.

All the civil staff of the army to wear plain blue coats, with yellow buttons and white under clothes. No gold or silver lace, except in the epaulets and straps, to be worn.

The commissioned officers and cadets to wear swords.

All persons belonging to the army to wear a black cockade, with a small white eagle in the centre. The cockade of the non-commissioned officers, musicians, and privates, to be of leather, with eagles of tin.

The regiments to be distinguished from each other numerically. The number of each regiment to be expressed on the buttons.

It cannot fail to happen, that clothing made at a distance from the army will in numerous instances be ill fitted to the persons to whom it is issued. This is an inconvenience, as it respects appearance, comfort, and use. It merits consideration, whether it may not be remedied by making provision by law for the necessary alterations at the cost of the soldiery. As there are always to be found tailors in an army, the alterations may be made there during seasons of inactivity; and moderate compensations may be established, to be deducted out of the pay. The tailors, when so employed, being exempted from military duty, will be satisfied with very small allowances; and the soldiers will probably prefer this expense to the inconvenience of wearing clothes which do not fit them.

On this subject of clothing, it is remarked with regret, that the returns which have been received, exhibit none on hand;

though from verbal communications it is understood, that measures are in train for obtaining a present supply. It is desirable that some more effectual plan, than has hitherto been pursued, should be adopted to procure regular and sufficient supplies on reasonable terms. While we depend on foreigners, will it not be advisable to import the materials rather than take the chance of markets? And will it not be expedient, with a view to economy, to have the clothing made up in the countries from which it may be brought? The matter certainly deserves serious attention. Our supply in the mode hitherto practised is not only very precarious, but must doubtless be obtained at a very dear rate.

Another point, no less deserving of particular attention, is the composition of the ration of provisions. It was in the last session augmented beyond all former example. It is not recollected, that the ration, which was allowed during the war with Great Britain, was found insufficient by troops once formed to military habits, and acquainted with the best methods of managing their provisions. The present ration, estimating by price, is understood to be greater than the ration in that war by at least forty per cent. This is evidently a very important augmentation. Various disadvantages attend it; a great increase of expense; additional difficulty in furnishing under all circumstances the stipulated allowance, consequently a multiplication of the possible causes of discontent, murmur, and perhaps even mutiny; the necessity of a greater number of wagons for transportation, and of course the extension of this always serious source of embarrassment to military operations.

The quantity of spirituous liquors, which is a component part of the ration, is so large as to endanger, where they might not before exist, habits of intemperance, alike fatal to health and discipline. Experience has repeatedly shown, that many soldiers will exchange their rum for other articles; which is productive of the double mischief of subjecting those, with whom the exchange is made, to the loss of what is far more necessary, and to all the consequences of brutal intoxication. The step having been once taken, a change is delicate; but it is believed

to be indispensable, and that the temporary evils of a change can bear no proportion to the permanent and immense evils of a continuance of the error.

It may not perhaps be advisable to bring back the ration to the standard of the late war, but to modify it in some respects differently, so as not materially to affect the aggregate expense. It may consist of eighteen ounces of bread or flour, one pound and a quarter of fresh beef, or one pound of salted beef, or three quarters of a pound of salted pork; salt, when fresh meat is issued, at the rate of one quart, and candles at the rate of a pound, for every hundred rations. With regard to liquor, it may be best to exclude it from bein a component part of the ration; allowing a discretion to commanding officers to cause it to be issued in quantities not exceeding half a gill per day, except on extraordinary occasions. Vinegar also ought to be furnished, when to be had, at the rate of two quarts, and soap at the rate of two pounds, per hundred rations.

There are often difficulties in furnishing articles of this description, and the equivalent in money is frequently pernicious, rather than beneficial. Where there is a contract, the promise of such articles is apt to prove more beneficial to the contractor than to any other person. He commonly so manages it, that the substitute is not a real equivalent. But it need not be observed, that whatever is to be done in this respect must be so conducted, as not to infract the conditions on which the troops now in service were enlisted.

It is deeply to be lamented, that a very precious period of leisure was not improved towards forming among ourselves engineers and artillerists; and that, owing to this neglect, we are in danger of being overtaken by war, without competent characters of these descriptions. To form them suddenly is impossible. Much previous study and experiment are essential. If possible to avoid it, a war ought not to find us wholly unprovided. It is conceived to be advisable to endeavor to introduce from abroad at least one distinguished engineer, and one distinguished officer of artillery. They may be sought for preferably in the Austrian, and next in the Prussian armies. The grade of colonel, with ade-

quate pecuniary compensation, may attract officers of a rank inferior to that grade in those armies, who will be of distinguished ability and merit. But in this, as we know from past experience, nothing is more easy than to be imposed upon, nothing more difficult than to avoid imposition, and that therefore it is requisite to commit the business of procuring such characters to some very judicious hand, under every caution that can put him upon his guard.

If there shall be occasion for the actual employment of military force, a corps of riflemen will be for several purposes extremely useful. The eligible proportion of riflemen to infantry of the line may be taken at a twentieth. Hence in the apportionment of an army of fifty thousand men, in my letter of this date, two thousand riflemen are included, and, in the estimate of arms to be provided, two thousand rifles. There is a kind of rifle commonly called *Ferguson's*, which will deserve particular attention. It is understood that it has in different European armies supplanted the old rifle, as being more quickly loaded and more easily kept clean. If the shot of it be equally sure, or nearly so, those advantages entitle it to a preference. It is very desirable, that this point, and its comparative merit in other respects, be ascertained by careful examination and experiment.

Perhaps generally, but more certainly when the troops shall serve in southern climates, flannel shirts will be most conducive to health. Will it not be advisable to make provision for retaining a discretion in such cases; either to allow a less number of flannel shirts equivalent to the present allowance of linen, or, if this cannot be, to furnish the soldiery with the requisite number, deducting the difference of cost out of their pay?

The only provision for the appointment of a quartermaster-general is to be found in the act of the 28th of May, authorizing the President to raise a provisional army, which limits his rank and emoluments to those of lieutenant-colonel. This provision is conceived to be entirely inadequate. The military duties of the office are of a nature to render it of the first importance in an army; demanding great abilities and a character every way worthy of trust. Accordingly it is the general practice, founded

upon very substantial reasons, to confide it to an officer of high military rank. The probability is, that, without a similar arrangement on our part, we shall not be able to command a fit character; and in taking one of inferior pretensions we shall subject the service to disadvantages, out of all proportion to any objections which may be supposed to militate against the conferring of such rank. It is feared, that an appointment under the existing provision would only create embarrassment, should there be real necessity for military exertions; and that the alternative must be either to leave the army destitute of so necessary an organ, or to give it one likely in the progress of things to prove unequal to the task.

It was much desired, for preventing future controversy, to fix in the first instance the relative grades of the regimental officers. That of the field officers has been rendered impossible, without injustice and the hazard of much dissatisfaction, by the impossibility of completing the arrangement in Connecticut and the three most southern States. But, upon close examination, many obstacles opposed a definitive establishment of the relative rank, even of the officers of companies, in the regiments which have been organized. Numerous circumstances, which ought to influence the decision, are unknown; and without this knowledge a final arrangement might lead to very awkward and perplexing results. In consideration of this difficulty, no more than a temporary one, liable to future revision, has been adopted. It will be necessary to attend to this in the appointments, and to signify to the persons, that they are to obey according to the order of nomination; but that the President reserves to himself the right, where cogent reasons for it shall appear, to change the relative rank which that order may seem to recognize. He will judge whether, in making the nomination to the Senate, a like reserve is necessary.

I am well aware, that several of the matters suggested in this letter will require legislative provision. If the whole or any of them shall be approved by the Executive, no time ought to be lost in recommending them to the consideration of Congress. As to some of them, it is very desirable that the necessary pro-

vision by law should precede the enlistment of the men, to avoid the obstacle to a change, which may result from contract.

With great respect and esteem,

I have the honor to be, &c.

HAMILTON TO WASHINGTON.

Answer to questions of the Secretary at War of November 10, 1798.

December, 1798.

No. 1. *First and second questions.*—The rule which appears proper as a *primary* one, is the relative population of the States severally. In the application of this rule, the distribution made by the Secretary, appears so far correct as to be deemed an eligible standard.

Improper to tie down the recruiting service by an absolute apportionment of the men among the States.

The officers will naturally be assigned to recruit in the States of which they are; if the men can be found there they will be had; but it is possible they may not be obtainable, and there ought to be liberty to obtain them elsewhere.

The troops of horse not to be confined to any division of the United States; but an exact distribution of so small a number would be inconvenient. It is therefore deemed proper to let the arrangement be governed principally by the characters who have occurred as officers. It is proposed to assign to Virginia and Maryland 3 troops; Pennsylvania 1; New Jersey 1; New-York and Connecticut 1.

The number of horse inadequate. Presuming that an increase will be found eligible, the distribution can be made with an idea to the other States. Consideration has been had as a secondary motive to the fitness of character.

Third question.—The fact solves this question.

Fourth question.—Provisions of law peremptory. Will not examine bounds of executive discretion; but it must be evident that a suspension cannot be justified but by a very urgent motive. None such are known to exist.

Nothing has been communicated as to foreign relations, to induce an opinion that the ground upon which the act for augmenting the army was passed has been changed. As far as can be inferred from the Treasury documents communicated, no obstacle is perceived to arise from financial considerations; but this is a point on which it cannot be expected that the responsibility of any definitive opinion will be assumed. The head of the proper department will no doubt explicitly pronounce.

Fifth question.—The opinion is, that they ought all to be immediately appointed, and immediately to receive their pay and be put into activity. This is with the exception, from want of adequate information, of the two Carolinas, Georgia, and Tennessee.

It is conceived that it will be expedient to confide to General Pinckney, with the aid of Generals Davie and Washington, to prepare the arrangement for these States, subject to the ratification of the President, but with as large a discretion to fix the arrangement as propriety will permit.

Sixth question.—Inexpedient at present to withdraw the troops in question, with a view to reinforce those on the seaboard. But our whole plan on the northwestern and southwestern frontier may require revision, and it is deemed eligible to require General Wilkinson to repair as soon as possible to the seat of the government, in order that it may have the benefit of his local knowledge and advice. He should be cautioned to avoid any demonstrations of hostility towards the Spaniard; but, on the contrary, as far as may be, to assume a different complexion.

Seventh question.—It is conceived best that the additional companies shall reinforce the western army.

Eighth question.—As to artillery. It is understood that the two regiments comprise twenty-eight companies; that of these, *eight* are in the western country. The remaining companies may temporarily be thus disposed of: one to Boston, *three* to New-

port, one to West Point, three to New-York, two to Fort Mifflin, two to Baltimore, two to Norfolk, one to Cape Fear River, three to Charleston, one to Savannah, one to St. Marys.

It is desirable that entire companies be stationed, and the mingling of different corps be avoided. The field officers will, of course, be distributed proportionally.

Ninth question.—The permanent disposition of the troops after they shall have been raised, may be influenced by circumstances yet to be developed. The first object of attention is the distribution, with a view to the recruiting service. To this end, each State should be divided into districts, equal to the number of companies to be recruited therein. The men to be brought to the company rendezvous as soon as may be after they are recruited; and a certain number of these rendezvous, where it can conveniently be done, to be put under the superintendence of a field officer. During the winter it would be inconvenient in most of the States, to assemble in larger corps than companies.

Tenth question.—The public ought to provide the rations by contract or otherwise, as it may be found best.

The giving money to the recruit would have many inconveniences, by giving pretext of absence to provide supply, unfavorable to discipline, tending to disputes with the inhabitants, and to desertion. Many of the men will apply their money to strong drink, rather than to *food.*

Eleventh question.—Contracts for stationary posts are to be preferred; but for an army operating in the field, purchasing is to be preferred, except that the magazines, which are to be formed at particular places, may be best formed by contract.

Twelfth question.—Springfield, Harper's Ferry, Rocky Mount on the Wateree.

HAMILTON TO GUNN.

NEW-YORK, December 16th, 1798.

DEAR SIR:

I regretted that my excessive avocations did not permit me, as I intended, to call upon you before I left Philadelphia. In addition to the pleasure of doing it, I was desirous of knowing the state of your mind with regard to military service. It was not that there was any thing worth your acceptance, upon the disposal of which at the time I could have had any influence; but I wished to understand what would be agreeable to you, with a view to the progress of affairs. If we are to be seriously engaged in military operations, 'tis not a compliment to you to say that you are one of those men who must be in the field. With such an enemy, we shall want men who will not *barely do their duty*, but will do it with an energy equal to all dangers.

With very great regard, &c.

HAMILTON TO M'HENRY.

NEW-YORK, December 16, 1798.

DEAR SIR:

I regretted that I was detained to the last moment of being in time for the stage in which my baggage had been previously sent, and thereby prevented from calling upon you before my final departure from Philadelphia.

If the recruiting service is to be confided to me, I ought as soon as possible to be definitely apprised of it, and in the mean time I shall be glad to have the instructions heretofore prepared for that purpose, that I may endeavor to obtain, for your final decision, new lights from officers who have had experience in this branch of the service. My own was very limited, and it is of great importance to proceed upon a right plan.

You recollect that, shortly after my first appointment, I was desired to turn my attention to a system of regulations for the tactics and discipline of the army. From that moment I have devoted much of my time to the preliminary investigations, and I shall devote a much larger proportion, if I am to consider myself as now in service, and entitled to the emoluments of the station; for, to be frank with you, it is utterly out of my power to apply my time to the public service without the compensations, scanty enough, which the law annexes to the office. If I were to receive them from the day of the appointment, I should be at least a thousand pounds the worse for my acceptance. From the time that it was fully known that I had re-engaged in military life, the uncertainty of my being able to render services for which I might be retained drove away more than one-half of my professional practice, which I may moderately estimate at four thousand pounds a year. My pecuniary sacrifices already to the public ought to produce the reverse of a disposition every where to compel me to greater than the law imposes. This remark, I am well aware, is not necessary for you personally.

Again, if I am to discharge with effect the duties of my present office, I must make frequent journeys from one part of the army to another. Every body knows that the expenses of such journeys would quickly eat out the narrow allowances of a Major-General.

It will be disagreeable to be exposed to the dilemma of compromiting my reputation and that of the government by not producing the results to be expected from the department, or of ruining myself once more in performing services for which there is no adequate compensation.

The precedent of the last war is a full comment on the propriety of an extra allowance to the Inspector-General. It is indeed indispensable, if he is to be useful.

It is always disagreeable to speak of compensations for one's self, but a man past forty, with a wife and six children, and a very small property beforehand, is compelled to waive the scruples which his nicety would otherwise dictate.

With great esteem and regard, I remain, &c.

P. S. I imagine it may be of service to communicate to *Wolcott* the two letters received from the Commander-in-Chief containg the results of our deliberation.

HAMILTON TO M'HENRY.

(PRIVATE.)

NEW-YORK, Dec. 19th, 1798.

DEAR SIR:

You are informed that Mr. Hill is in possession of drafts of surveys made during our last war, of our harbor and bay. It is very interesting that the government should acquire these drafts. You will, I presume, think that they ought to be deposited in your department, as an item in the general mass of information necessary towards plans of general defence. If so, you will purchase them, if it be not already done, and in this case, I will thank you for the immediate loan of them; having been charged by the Governor of this State, under the sanction of the President, with preparing a plan for the fortification of our port, which plan, when digested, will be sent to you. Should you decline the purchase, be so good as to say so to General M'Pherson, who will be requested to procure the drafts for the use of this State.

GENERAL GUNN TO HAMILTON.

December 19th, 1798.

DEAR SIR:

I have received your very friendly and obliging favor of the 17th instant. I was very solicitous to converse with you on the subject of our military establishment. But it appears to me that during your stay in this city, your whole time was occupied with

public business, and I was unwilling to interrupt you; the only moment I had the pleasure of your conversation, I certainly understood it to be your intention to return to this city in the course of a very few weeks. Indeed, it appears to me indispensable.

You are not accustomed to engage in objects of much moment without consideration; and, sir, I am persuaded it can be no part of your plan merely to execute the feeble arrangements of other men. The President has no talent for war, and M'Henry is an infant in *detail;* and, if I am correct, General Washington is not to take the field, but in the event of the provisional army being called into service. You are of course not only charged with the command of the army, but in a great degree, the direction of the War Department; and, sir, you will permit me to add, that the legislative aid necessary for the support of that department, must be arranged by yourself. I therefore conclude that it is yet your intention to visit Philadelphia, which precludes the necessity of my going into detail.

Trained up in the honorable pursuit of a military life, I frankly confess my regard for you as a commander, and my passion for military service. But, my worthy sir, I have seen such dishonorable means employed to wound the feelings of men of unblemished integrity, and have witnessed so many efforts to render the profession of arms disreputable, that I am disgusted with every thing connected with public life. Situated in a country, in the event of war, which, most probably, will be the scene of action, I have no wish or expectation that it will be my lot to keep out of the field. But, sir, I am sincere when I assure you, that it is my fixed determination not to be commanded by *some men* now in commission. By this declaration, I wish it to be understood that my objection does not extend beyond in the provisional army, and the *field officers* in army. In any event, I entreat you to believe that it will give me infinite pleasure to do you all the service in my power.

Have the goodness to communicate your wishes with regard to the invigoration of the measures of defence.

HAMILTON TO GUNN.

NEW-YORK, December 22, 1798.

MY DEAR SIR:

The post of yesterday brought me your favor of the 19th inst. The sentiments in it personal to me are extremely gratifying, and I am very glad to ascertain the military ground upon which you are not unwilling to stand. If things progress, I trust there will be no obstacle to your occupying it.

As to the further military arrangements, my ideas are these: Considering how little has been done towards raising the force already voted, that an important tax is yet in the first stage of an essay, that a prospect of peace is again presented by the temporizing conduct of France, that serious discontents exist in parts of the country with regard to particular laws, it appears to me advisable to postpone any actual augmentation of the army beyond the provisions of the existing laws, except as to the regiment of cavalry, which I should be glad to see increased by the addition of two troops, and by the allowing it to be recruited to the complement which has been proposed by the Commander-in-Chief, as that of the war establishment. What this is, will probably be communicated by the Secretary at War.

But a considerable addition ought certainly of be made to our military supplies. The communications of the Commander-in-Chief will also afford a standard for the increase in this respect, as far as concerns the force to be employed in the field. There are, however, some other objects of supply equally essential, which were not within the view of those communications—heavy cannon for our fortifications, and mortars for the case of a siege. Of the former, including those already procured and procuring, there ought not to be fewer than one thousand, from eighteen to thirty-two pounders, chiefly of twenty-fours; of the latter, including those on hand, there ought to be fifty of ten-inch calibre. This, you perceive, looks to offensive operations. If we are to engage in war, our game will be to attack where we can. France is not to be considered as separated from her ally. Tempting objects will be within our grasp.

Will it not likewise be proper to renew and extend the idea of a provisional army? The force which has been contemplated as sufficient in any event, is 40,000 infantry of the line, 2,000 riflemen, 4,000 cavalry, and 4,000 artillery, making in the whole an army of 50,000. Why should not the provisional army go to the extent of the difference between that number and the actual army? I think this ought to be the case, and that the President ought to be authorized immediately to nominate the officers, to remain without pay until called into service. The arrangements can then be made with sufficient leisure for the best possible selection, and the persons designated will be employed in acquiring instruction.

It will likewise deserve consideration, whether provision ought not to be made for classing all persons from eighteen to forty-five inclusively, and for draughting out of them, *in case of invasion*, by lot, the number necessary to complete the entire army of fifty thousand. In the case of invasion, the expedient of draughting must be resorted to, and it will greatly expedite it if there be a previous classing with a view to such an event. The measure, too, will place the country in a very imposing attitude, and will add to the motives of caution on the part of our enemies.

These measures are all that appear to be advisable with regard to our military establishment under present appearances. A loan as an auxiliary will of course be annexed.

HAMILTON TO M^c^PHERSON.

NEW-YORK, December 26, 1798.

DEAR SIR:

A Captain Hill, formerly of the British service, now in Philadelphia, is in possession of drafts of surveys, which were made during our war, of the port and harbor of New-York. If the Secretary at War, of whom you will please to inquire, has not

procured them for the United States, you will oblige me by purchasing them for the use of this State. The money which you may pay will be reimbursed upon notice of the amount. If separable, I wish for those only from the *Narrows* downward to the *Hook*. But if an entire draft, it must be purchased together.

HAMILTON TO M'HENRY.

NEW-YORK, January 7, 1799.

SIR:

The unascertained situation in which I have been since my acceptance of the military appointment I now hold, has been not a little embarrassing to me. I had no sooner heard of the law creating the office, than I was told by members of Congress that I was generally considered as the person designated by circumstances to fill that office, and that the expectation of those who most actively promoted the passing of the law was, that the Inspector-General would be brought into immediate activity, particularly to superintend the raising and organizing of the troops.

This is mentioned as a mere item in the incidents which influenced my calculations and arrangements.

Very soon after, if not at the time, you communicated to me my appointment, you intimated, though not officially, your desire that I might occupy myself in preparing for the consideration of the Executive a system of tactics and discipline; and not long after, you expressed to me your intention to commit to me the supervision of the recruiting service.

In October I received your summons to attend at the seat of government with the Commander-in-Chief. I obeyed, and devoted to the purposes of this summons about a month and a half.

I received, in due course, a letter from your department, stating the expectation of the President that the Generals would think it proper to waive the emoluments of their stations till called into service. In my reply I acquiesced.

But presuming that I would speedily be officially charged with the execution of duties, which would draw along with them the compensations attached by the law to the station, I have acted on that presumption. I have discontinued my practice as attorney and solicitor, from which I had derived a considerable part of my professional profits; and I have applied no small portion of my time to preliminary investigations, in order to the collection of the best lights for forming a system of tactics and discipline as perfect as exists any where else.

The very circumstance of my having accepted a military appointment, from the moment it was known, withdrew from me a large portion of my professional business. This, it will be perceived, was a natural effect of the uncertainty of my being able in the progress of suits to render the services for which I might be engaged, at the customary previous expense to the parties.

The result has been, that the emoluments of my profession have been diminished more than one half, and are still diminishing, and I remain in perfect uncertainty whether or when I am to derive from the scanty compensations of the office even a partial retribution for so serious a loss.

Were I rich, I should be proud to be silent on such a subject. I should acquiesce without an observation as long as any one might think the minutest public interest required an accumulation of sacrifices on my part. But after having to so advanced a period of my life devoted all my prospects of fortune to the service of the country, and dependent, as I am, for the maintenance of a wife and six children on my professional exertions, now so seriously abridged, it is essential for me to forego the scruples of delicacy, and to ask of you to define my situation, that I may determine whether to continue or to change my present plan.

It will easily be imagined that I should not accept compensations withheld from any other in a similar situation. If actual employment is to be the criterion in any other instance, it must be so in mine; but then it is material to me to understand whether, in the contemplation of the Executive, I now am, or immediately am to be employed, or not. In the negative of this, my

honor will compel submission to the consequent sacrifice, so far as it is unavoidable; but my arrangements will be different from what they are at present, and will aim at making the sacrifice as small as possible.

An early answer to this inquiry will particularly oblige me.

With great respect, &c.

M'HENRY TO HAMILTON.

9th January, 1799.

DEAR HAMILTON:

An official letter of this date fixes the commencement of your pay and emoluments. I shall, as soon as possible, define your duties and command. In the meanwhile I should be glad to have your own ideas on the subject. You will proceed in your report for a system of tactics and discipline. You will also endeavor to ascertain the best positions for your recruiting parties, and general rendezvous, &c., within the several grand subdivisions—and will not forget the bill conformably to my report. Church's nomination is concurred in—several of the nominations for inferior grades postponed by the Senate for further information.

M'HENRY TO HAMILTON.

WAR DEPARTMENT. 10th January, 1799.

DEAR SIR:

I wrote you on the to request you to prepare conformably to the propositions contained in my report of the 24th of December, ultimo, to the President. This morning, General Gunn, of the Committee of the Senate, to whom this report has been committed, waited upon me with a request from the Com-

mittee, that I should prepare and furnish them with a draught of two bills, one comprising whatever in the report relates to new provisions for the regular peace and war establishment, the other all new matters appertaining to the provisional army. He added, if I thought it proper, I might comprehend in these bills all the existing provisions relative to the provisional and regular army. I think the idea judicious; and request you to be so kind as to turn to the existing laws and incorporate into the two bills all that *ought to be retained of them.*

M'HENRY TO HAMILTON.

WAR DEPARTMENT, Jan. 11, 1799.

DEAR SIR:

Permit me, in addition to what I said yesterday, to request, that laying aside other business you will occupy yourself on the two military bills only. The session is short, and but little of it to come. If possible, let me have the bills by Monday's mail, or at furthest Tuesday's.

I have not been able to ascertain what part some of your friends in the House mean to take respecting the appropriations necessary for the new army. Upon an examination of the laws, I was obliged to relinquish the opinion that they had provided for other expenditures on account of the new army than what might be incurred before the end of the next session of Congress, that is, the present. You know the causes and obstructions which have prevented me doing any thing to carry the law for raising the army into effect during the last year.

HAMILTON TO M'HENRY.

NEW-YORK, January 15, 1799.

DEAR SIR:

I find I cannot have ready for this day's post the bill for the provisional army. Inclosed are some additional clauses relating to organization, consequently to be inserted in the bill sent by yesterday's post. You will easily determine their proper position there. They are necessary to systematic propriety. General provisions of this kind will prevent continued repetitions in every new law respecting the military force.

HAMILTON TO M'HENRY.

NEW-YORK, January 16th, 1799.

DEAR SIR:

You will receive herewith the draft of a bill for a provisional army. It includes only those things of a former bill which are appropriated to this object; the other parts of that bill being now in full force. The operation of the bill, which has been already sent you, renders the repetition of several clauses in the present unnecessary. The aim, indeed, ought to be to have a *fundamental arrangement* which will attach of course upon all subsequent provisions of force, so that the law for every augmentation need only define the number to be raised, and the duration of service, and the mode of raising.

An eye has been had to this in the draft of the first bill, and one of the two additional clauses now sent for the same bill has the same view. This will be more deliberately and correctly attended to in the plan of a bill which I shall begin to work upon from this time, but which cannot be ready for a considerable time. A bill for the hospital establishment will follow in two or three days.

Yours truly, A. H.

P. S. The considerable mutilation of the nominations proposed by the Commander-in-Chief, as it appears in the result, naturally excites curiosity. It ought to be presumed, and yet the mind naturally distrusts the presumption, that there are good reasons for it, and that the service will be finally benefited. But I confess it would be a relief to me to know a little in detail, what has influenced the departure, how the unfitness of those who have been declined, has appeared, and what means are in train to do any better. Pray be particular, and confidential. You will not consider any letter of mine, beginning "Dear sir," as official.

Measures in the War Department which it may be expedient to adopt.

To organize anew the militia, on a plan something like the following, viz.:

To be divided into five classes.

First class, consisting of all unmarried men from 18 to 25, except apprentices under 21 to merchants, mechanics, and manufacturers, and students under the same age in universities, colleges, and academies, and of divinity, law, and medicine.

Second class, consisting of all unmarried men from 25 to 40.

Third class, consisting of all married men from 18 to 25, except as excepted in the first class.

Fourth class, consisting of all married men from 25 to 40.

Fifth class, consisting of all men above 40, and not exceeding 50.

Each class to be formed into corps of infantry, artillery, and cavalry, combined into legions to consist of four regiments of infantry, one regiment of horse, and a battalion of artillery. All who choose to enter into the cavalry and provide themselves with horses, arms, and accoutrements, to be at liberty to do it. Each class to be called out in succession as numbered; in whole or in part, liable to serve for a year. None of a higher number to be called out until all of any preceding lower number have been called out and served their tour.

In case of domestic insurrection, no man *able* to serve shall be excused on any condition.

In case of foreign war, any man may be excused, paying $\frac{5}{100}$ dollars.

No militia (except those inhabiting frontier counties) shall be obliged to serve against Indians, nor those inhabiting frontier counties for more than in one year.

Any man who shall refuse to serve his tour when required, to be imprisoned during the term of service, or compelled to labor at some public work at the option of the government.

Cases of exempts to be defined in the laws.

The respective classes to be liable to be called out for inspection and exercise as follows:

First class,	days in a year.
Second class,	days in a year.
Third class,	days in a year.
Fourth class,	days in a year.

Fifth class, one day in a year.

The militia, *when in service*, to be subject to the same rules of discipline and government as the army of the United States.

II. A regiment to be raised consisting of commissioned officers and persons engaged as sergeants, and with the pay of such, that is to say, in their own corps, they shall serve by rotation as sergeants, corporals, and privates; but out of their regiment they shall only be employed as sergeants. All new regiments which may be raised shall have their sergeants from this corps, which shall have a fixed station, and be carefully instructed in all the parts of camp, field, and garrison service. It may be considered, whether this idea may not be extended to artillery and cavalry. This corps to constitute the basis of an army in case of need.

III. To establish a *provisional* or auxiliary army, composed of four regiments of infantry, one regiment of cavalry, and one battalion of artillery, formed into a legion of two brigades, each brigade commanded by a Brigadier, and the legion by a Major-General.

This legion to be raised by voluntary enlistment, according to a certain distribution in the following parts of the United

States. In the part of Pennsylvania and Virginia lying west of the Alleghany, the northwestern and southwestern governments, Kentucky, South Carolina, and Georgia.

The consideration of enlistment to be a suit of clothes of the value of ten dollars per annum, and when in the field the same pay and allowance as other troops of the United States.

To be engaged for a term of years, but except in case of domestic insurrection or foreign invasion, not to be obliged to serve in the field more than months in one year. One brigade to be raised in the western parts of Pennsylvania and Virginia, the Northwestern Territory, and the State of Kentucky. The Brigadier to be immediately charged with all the military affairs of the United States in that scene. The other brigade to be raised in the other part of the country above described, with the same immediate charge to its Brigadier of the military affairs of the United States in that scene.

The Major-General to have the general direction.

IV. The following miscellaneous objects to be aimed at.

1. The establishment of a system of trade with the Indians under the agents of government; a plan in detail for this purpose.

2. The establishing it as a principle, that every man in arms to attack or resist Indians, except in some county under the *actual* jurisdiction of the laws, shall be *ipso facto* liable to the rules for the government of the army.

3. The establishment of manufactories under public authority, of cannon, muskets and other arms, powder and ball. All articles of clothing except hats and shoes.

☞ The organization of the army to be revised; it is presumed to be susceptible of one more perfect.

HAMILTON TO M'HENRY.

NEW-YORK, February 21, 1799.

DEAR SIR:

I send you the draft of a bill for regulating the *medical establishment.* (I avoid purposely the term *department*, which I would reserve for the great branches of administration.) You will see that nothing but an organization with a general outline of duty is provided for. Detailed regulations will properly come from the President and the departments; and the less these are legislated upon, in such cases, the better. When fixed by law, they cannot be varied, as experience advises.

This particular establishment, is one to the right fashioning of which I feel myself more than ordinarily incompetent.

You mention in one of your letters, that by the law of the 16th of July, the appropriation for the augmented army ceases at the end of the present session. This is one construction of that law. A different might perhaps be mentioned. But be this as it may, you will find by a subsequent act of the same date, entitled, "An act making certain appropriations, &c.," that 900,000 dollars are there appropriated for the same object, without any qualifications; and I take it for granted that whatever money should have been *issued* from the Treasury for the use of the War Department, previous to the end of the session—upon the first of those acts, might be expended afterwards by this department without any question about its regularity.

M'HENRY TO HAMILTON.

WAR DEPARTMENT, January 22d, 1799.

DEAR SIR:

I omitted to inclose you yesterday the annexed schedule, upon which my letter was a commentary.

The General-in-Chief has mentioned to me in explicit terms, "That it is a part of his plan to decline the occupation of the office, unless, and until his presence in the field should be required for actual operations, or other imperious circumstances should require his assistance. That, persevering in this plan, he cannot undertake to assume a direct agency incompatible therewith, and that a half-way acting might be more inconvenient than totally declining it. He then advises, in conformity with my opinion given to him in Philadelphia, a division of the military command between the existing General officers. I mention this that you may experience no embarrassment in giving your ideas upon the distribution most proper to be adopted.

I have this moment received your note of the 21st, and the sketch of the hospital bill, and am ever your affectionate friend.

GENERAL GUNN TO HAMILTON.

PHILADELPHIA, January 23d, 1799.

DEAR GENERAL:

In haste I inclose you by this day's mail a printed copy of the military bill reported to the Senate. The bill was handed me by M'Henry, and he is engaged in drawing a bill for regulating the hospital department. Have the goodness to return the bill, with such amendments as you think proper to make. I do not see the utility of a full Colonel to a regiment.

If your other engagements are not too pressing, you will greatly oblige me by inclosing a plan for the provisional army. It is my opinion that every State ought to officer one regiment, at least, and that the President be authorized to commission *all* the officers immediately. The policy of the thing will not be doubted. Our friends in the House of Representatives permit the enemy to gain time by long speeches.

With very great regard, &c.

HAMILTON TO M'HENRY.

NEW-YORK, January 24th, 1799.

DEAR SIR:

You ask my opinion as to a proper arrangement for the command of the military force, on the ground that the Commander-in-Chief declines at present an active part.

This is a delicate subject for me; yet in the shape in which it presents itself, I shall waive the scruples which are natural on the occasion.

If I rightly understood the Commander-in-Chief, his wish was that all the military points and military force every where, should be put under the direction of the two Major-Generals, who alone should be the organs of the department of war.

The objects of this plan are to disburthen the head of that department of infinite details, which must unavoidably clog his general arrangements, and to establish a vigilant military superintendence over all the military points. There is no difficulty in this plan, except as to the western army.

It will be a very natural disposition to give to the Inspector-General the command of all the troops and posts north of Maryland, and to General Pinckney the command of all the troops and posts south of the district assigned to the Inspector-General. How will this plan as to the western army answer?

Let all the troops upon the lakes, including those on the Miami, which communicate with Lake Erie, be united under the command of one officer, to be stationed at ———. Let all the troops in Tennessee be united under the command of one officer, to be stationed at ———. Let them consider themselves under the order of the General who commands the western army, and let the whole be placed under the Inspector-General. The officers commanding on the lakes, and in Tennessee, to be permitted to correspond immediately with the Inspector-General, and receive orders from him.

All the communications, as well of these officers as of the General of the western army, to be sent open, under cover of the

Secretary of War, who, in urgent cases, will himself give orders, if the Inspector-General be not on the spot, which he will communicate for his future government to the Inspector-General, and in cases not urgent, will leave matters to the agency of the Inspector-General, according to the instructions which he shall receive from the Department of War.

It is easy to perceive that there are objections to this plan. I am not sure that it ought to be adopted. The *pour* and the *contre* will readily occur to you, and you will take and reject, as shall appear to you proper; assured always that personally, I shall be content with any arrangement you may think advisable.

HAMTRANCK TO HAMILTON.

FORT WAYNE, January 25th. 1799.

DEAR GENERAL:

It gives me a singular pleasure to have an opportunity of congratulating you on the choice that the President and Senate have made in the appointment of the Inspector-General of the army.

America will see once more those military talents which were formerly confined in their execution to too small a compass, now diffuse themselves into every department of the profession, and display themselves on a much larger scale, and the pupil under your tuition will rejoice in having an opportunity of making himself perfect in the art of war.

I hope, my dear General, that you will not give a wrong interpretation to my letter. It is not flattery; it is the real sentiment I have always entertained of your abilities since I had the honor of serving under your immediate command, and on all occasions I have proclaimed to the western army. Long and long have I wished to introduce those principles you taught me.

HAMILTON TO ———

(CIRCULAR.)

NEW-YORK, January 30th, 1799.

SIR:

A letter from the Secretary at War, of yesterday, places under my superintendence the posts and troops under your immediate command. All future communications therefore respecting them, including reports and returns, are to be addressed to me; not as heretofore to the Secretary at War.

It is my wish, as soon as possible, to receive a full and particular communication of the state of things within your command, embracing the number and condition of the works and buildings; the quantities and kinds of artillery, arms, and stores; the number of the troops and their situations; as to discipline, equipment, and supply; and that you will in future keep me regularly advised of whatever may be material for the successful discharge of your trust or the advancement of the service.

I cannot let this first opportunity pass, without calling your attention in an official manner to the discipline of the troops. The cursory observation which I have been hitherto able to make, has been sufficient to satisfy that there exists in this respect too general a relaxation; an evil which must, at all times, be corrected by the union of care, prudence, and energy.

No argument is necessary to prove how essential is discipline to the respectability and success of the service, and consequently to the honor, interest, and individual importance of every officer of the army. To the exertions for maintaining it, my firm support at all times may be absolutely counted upon, as it will be my steady aim, on the one hand, to promote, to every reasonable extent, the comfort of the troops; on the other, to secure a strict observance of their duty.

With great consideration,

I am, Dear Sir,

Your obedient Servant.

To the Commanding Officer of West Point and its dependencies.

M HENRY TO HAMILTON.

WAR DEPARTMENT, February 4th, 1799.

SIR:

Lieutenant-General Washington having declined, agreeably to the condition upon which he accepted of his appointment, any command whatever of the army of the United States, until such time as his presence in the field shall be required for actual operations, or his services demanded by peculiar and urgent circumstances; it is therefore proper to make such arrangements, respecting the distribution of the existing military authority, as shall most conduce to the good of the service, and is best adapted to our present situation, and to the objects to which our force may eventually be applied.

Before entering into particulars upon the principal subject at present contemplated, it will be useful to enumerate the stations of the troops of the United States, and the course taken to communicate with them.

1. There are, on the Lakes, namely, on Lake Ontario, the garrisons of Oswego and Niagara; on Lake Erie and Lake St. Clair, the garrisons of Presque Isle and Detroit; on Lake Huron, at the entrance of the strait leading to Lake Michigan, the garrison of Michilimackinac; on the Miami River, Fort Wayne; on the Ohio, Fort Franklin, Fort Washington, and Fort Massac.

2. There are, on the Mississippi, garrisons at the Chickasaw Bluffs, Walnut Hills, and Natchez, or Loftus Heights.

3. There are several posts on the Creek frontier of the State of Georgia.

4. There are several posts on the Indian frontier of the State of Tennessee.

5. There are several garrisons on the seaboard from Maine to Georgia, inclusive.

The first enumerated posts (except Oswego and Niagara), while General Wilkinson was at certain stations in the Northwestern Territory, have communicated through him with the Department of War. The second, do now communicate through

General Wilkinson, who is on the Mississippi. The third, through Lieutenant-Colonel Butler. The fourth, through Lieutenant-Colonel Gaither. The fifth, through the medium of the commandants of the several garrisons.

I have said that the first described garrisons communicated through General Wilkinson while at certain stations. For example, when the General was stationary at Pittsburg, or Fort Washington, on the Ohio, the whole of these garrisons above and below him, except Oswego and Niagara, communicated directly with the General, and the General with the Secretary of War. Again; when the General held a position at Detroit, all the garrisons between him and the seat of government, though within his sphere of command, communicated directly with the Secretary of War. Lastly; since the General entered into the Mississippi, all the garrisons above him communicated directly with the Secretary of War.

Oswego and Niagara being, in all the aforesaid positions of the General, too distant to enable him to give quick information respecting them, were always allowed to hold direct communications with the Department of War.

A slight view of the map of the country, over which troops are stationed, the distance between the garrisons, the routes by which it is practicable for them to communicate with each other and with the seat of government, added to a consideration of the serious inconveniences that might have resulted during the unsettled state of things, which has existed for some time past generally on the frontiers, rendered an adherence to the rule of making no communications to any of them unless through the commanding General, whatever might have been his position, dilatory beyond measure, and too dangerous for practice during such a period.

It has been deemed equally inconsistent with situation, and dangerous to tranquillity, to make the General, who is now at Loftus Heights, on the Mississippi, the organ by which the Department of War should communicate with the garrisons and troops on the seaboard, and the frontiers of Georgia and Tennessee.

The state of things common to an Indian frontier, such as that of Georgia and Tennessee, has rendered it indispensable to the success of the measures of government to obtain the earliest information of every circumstance that might lead to war in those quarters, or to serious embarrassments, if not early counteracted. That a rapid communication might at all times take place, the frontiers of Georgia and Tennessee have been formed into two districts, and the commandant of the military force within each made the organ of communication for his respective district.

Few of the fortifications on the seaboard having been garrisoned before the law passed for raising a second regiment, or corps of artillerists and engineers, the whole of these garrisons have been permitted to correspond directly with the Secretary of War.

You will see in the project of regulations, which I sketched some time since, and which was put into your hands by General Washington, that I contemplated to arrange in separate districts the force and posts on the seaboard, as well as on the western frontiers, and to combine as many of them, as could be so done with convenience to the service, under the superintendence of the then General-in-Chief. This part of the regulations had for its basis the French ordinances relative to the same subject, was intended to introduce more order and system into our military affairs, and abridge, as far as consistent with the general interest, the epistolary labors of the department. The execution of this project met with some obstructions, and has been procrastinated by causes, which it is deemed unnecessary to relate.

While the ideas presented to you exhibit the difficulties that would attend the imposing upon any General officer the entire correspondence with the army, unless indeed he was to be abstracted wholly from the troops, and to reside constantly at the seat of government, they point, nevertheless, to the practicability of dividing the army into subordinate commands, and of placing a certain number of such commands under the control and superintendence of district officers.

The President has accordingly directed me to make such an

arrangement for our military force, as may correspond with our situation, and to assign to the Major-Generals, who are to command it, the superintendence of such portions thereof, as may best tend to promote military discipline, the general interests of the service, and the objects of the military establishment.

You will therefore be pleased, until otherwise instructed, to consider yourself invested with the entire command of all the troops in garrison on the northern Lakes in the Northwestern Territory, including both banks of the Ohio, and on the Mississippi. You will, as an organ of communication between you and the garrisons on the Lakes in the Northwestern Territory, and occasionally those on the Mississippi, direct, if you judge it proper, Brigadier-General Wilkinson to establish his headquarters at Pittsburg, or such other position as you may deem best calculated to facilitate his communications to you, and also with the garrisons you may place under his superintendence. You will, if you find it can be arranged to advantage, establish subordinate districts within his command, with each a commandant, who shall alone communicate with General Wilkinson, and receive your orders through him, relative to the garrisons under their superintendence respectively. You will make similar dispositions on the Mississippi, for the superintendence of the garrisons within that district.

In deciding upon these arrangements, you will be particularly careful, that they do not occasion inconvenient delays in the transmission of information to the seat of government, or throw obstructions in the way of immediate succors being given to the most remote garrisons, in cases of urgency; and will direct your corresponding officers in the Northwestern Territory and on the Mississippi to pass all letters, which they address to you, open, and through the Secretary of War, at least so long as your position shall be such as to afford to the Secretary an opportunity to know their contents sooner, than if they were to be received by you in the first instance. By this arrangement, it will be at all times in the power of the Secretary of War to give orders in emergencies, which can afterwards be communicated to you for your future government.

Besides the command of the troops and garrisons in the tract of country before described, you will assume that of all the troops and posts which are, or may be, within the State of Maryland, and all the States to the northward and eastward thereof.

Major-General Pinckney will be instructed to take the command of all the troops and posts that are or may be within the States of Virginia, North Carolina, South Carolina, Georgia, Kentucky, and Tennessee.

It is expected, and you will give orders accordingly, that the garrisons and troops within your command and superintendence make returns and observe the inclosed regulations.

The recruiting service is an object of primary importance; it is conceived to be particularly connected with the duties of the Inspector-General; the sole direction of it is therefore, with a view to order and efficiency, confided to you alone.

It is to be lamented that circumstances have prevented the obtaining of an early supply of necessary clothing for the troops, directed to be raised by the act passed the 16th of July, 1798, and that the progress made, since it was practicable to enter upon the business, does not justify our immediately commencing the recruiting service. Inclosed is a report by the purveyor of the public supplies, which shows the quantities of the different articles of clothing, which he thinks may be relied on, and the times at which he presumes it will be ready for delivery.

Although, however, the impracticability of obtaining a proper supply of clothing may impose the necessity of some delay in the actual commencement of the recruiting service, nevertheless certain preparatory arrangements, it is thought, may greatly facilitate the same. You are invited, therefore, to lose no time in dividing, at least, the States from which officers have lately been appointed, into as many districts as there are companies to be raised in them, and forwarding to the officers to be employed respectively in each district, through the commandant, their recruiting instructions, with orders, either to hold themselves prepared to enter upon the service the moment they receive your ulterior directions, or to engage provisionally as

many recruits as are willing to enroll themselves on their lists, and who may be promised pay from the day of their being enrolled and sworn, with their bounty, upon the officer receiving his final instructions, or (which perhaps is safer) upon their arrival at the general rendezvous.

The instructions advert to the qualifications of recruits in general terms. It may be proper to be more particular than the instructions are respecting enlistments for the cavalry.

The important services to which the cavalry are destined (the event of actions sometimes depending solely upon their valor and impression), render it indispensable, that such corps be composed of the best materials, and, in proportion to the small number assigned to the army and the effects expected to be produced by them, that the utmost care be observed in their selection.

Let the regulations, then, upon this point restrict the recruiting officer to engage none except natives for this corps, and, of these, such only as, from their known character and fidelity, may be trusted to the extent of their powers.

The size of the cavalry recruit deserves a degree of attention. Warnery observes very justly, in his remarks on cavalry, "that, in every species of cavalry, *the man ought to be proportioned to the size of his horse*, and the arms with which he is to serve adapted and proportioned to them both, and to the nature of the service to be performed; consequently the cuirassier should be larger and his arms heavier than the dragoon, and these more so than the light-horse or hussars. A small man has great difficulty to mount a large horse, particularly with a cuirass; they should all, however, be muscular and robust, but not heavy; the Prussian dragoons are too heavy for their horses; and it is ridiculous to see a large man upon a small horse, which, by being strained with too much weight, is very soon ruined, and the trooper dismounted; a man who is more than five feet eight inches ought not to be received into the cavalry."

It will be proper that Major-General Pinckney should attend to the recruiting service in the division of country assigned to his command, and that he should receive from you all the necessary instructions upon the subject.

You will report monthly to the Secretary of War an abstract of the number of men recruited, the clothing which may be wanted, and the necessary moneys to be remitted for the service.

Inclosed is a schedule of the officers, who have accepted their appointments, with their respective places of residence annexed. Inclosed also is a list of the officers at present employed in the recruiting service, and their places of residence.

Should you think the existing instructions to recruiting officers require revision, or that additional articles are necessary for the extensive field we are entering upon, to give more system to the business, you will report the alterations or additions, that they may be submitted to the President for his decision, incorporating therein those which respect the cavalry.

You will also indicate to me, as soon as possible, the several stations where rations must be provided, that measures may be taken accordingly.

Connected with this subject is another of considerable importance; I mean the permanent disposition of the troops after they shall have been raised.

Having taken the opinion of General Washington on this point, it is thought advisable that it should be adopted, until a change of circumstances shall render a different disposition proper. The General observed, that, though it might now be premature to fix a permanent disposition of the troops, it might, nevertheless, be useful to indicate certain stations, where they may be assembled provisionally, and may probably be suffered to continue while matters remain in the present posture. The stations eligible in this view may be found for two regiments in the vicinity of Providence River, near Uxbridge; for two other regiments in the vicinity of Brunswick in New Jersey; for two other regiments in the vicinity of the Potomac near Harper's Ferry; for two other regiments in the vicinity of Augusta, but above the Falls of the Savannah. This disposition, the General observed, will unite considerations relative to the discipline and health of the troops, and to the economical supply of their wants. It will also have some military aspects; in the first place, towards

the security of Boston and Newport; in the second, towards that of New-York and Philadelphia; in the third and fourth, towards that of Baltimore, Charleston, Savannah, and the southern States generally; and, in the third, particularly towards the reinforcement of the western army in certain events. But, he subjoined, the military motives have only a qualified influence, since it is not doubted, that, in the prospect of a serious attack upon this country, the disposition of the army ought to look emphatically to the southern region, as that which is by far most likely to be the scene of action.

It was also the General's opinion, which is concurred in, that the companies directed to be added to the regiments of the old establishment ought, as soon as is convenient, to reinforce the western army, and that their destination in the first instance may be Pittsburg.

His opinion is also in general to be adopted relative to the disposition of the artillery. He proposed to assign a complete battalion to the western army; to the fortifications at Boston, one company; to those at New-York, two companies; to those at Newport, two companies; to those at West Point, one; to those at Mud Island, two; to those at Baltimore, one; to those at Norfolk, two; to those on Cape Fear River, one; to those at Charleston, two; to those at Savannah, one; to those at the mouth of the St. Mary's, one. It is thought there may be some other fortified places on the seaboard that will require attention, which is left to you to decide upon, after you have taken a deliberate view of the subject. He is further of opinion, that the remaining two battalions had better be reserved for the army in the field, and that, during the winter, they may retain the stations they now occupy; but that, as soon as they can conveniently go into tents, it will be advisable to assemble them at some central or nearly central point, there to be put in a course of regular instruction, together with successive detachments of the officers and non-commissioned officers of the seaboard garrisons, until their services shall be actually required.

You will therefore give effect to the aforesaid disposition, and so arrange the companies of artillery, that those belong-

ing to the same regiment or corps may form contiguous garrisons.

You will also make such an arrangement of the subalterns to the captains of artillerists and engineers, as in your opinion will produce the greatest harmony among the officers, and good to the service. Inclosed is a list of the names of all the officers in the army, classed according to their respective regiments or corps, with the date of their commissions.

A system of regulations being wanted for the government and discipline of the volunteer companies, you will, as soon as convenient, report one for the consideration of the President.

Inclosed is the copy of a letter to Brigadier-General Wilkinson, dated the 31st of January, 1799, by which you will perceive that he is instructed to wait your orders.

Considering with what view the posts, which our troops occupy on the Lakes, were originally erected, it may be useful to employ a judicious engineer to survey them and the adjacent country on the Lakes, in order that it may be ascertained, in the various relations of trade and defence, whether they are susceptible of any beneficial changes. You will for this purpose select from the corps of artillerists and engineers, at a convenient time, a qualified officer to make the necessary survey, and report the result relative to these objects.

It is required that you report, as soon as it can be done with convenience, a system of regulations for the government of the Inspector-General, and the assistant inspectors of every description, expressive of their duties and functions, and comprising the duties of those officers to whom their functions are applicable.

I need not urge it upon you, to exercise the most vigilant superintendence over every branch of the service within the sphere of your command. I cannot avoid, however, calling your particular attention to the discovery of the causes, which may induce irregularity in the police of the armies, in the field, and in our posts or garrisons upon the different frontiers of the United States; and enjoin, that every legal and proper step be instantly resorted to, which the laws or the usages of armies

authorize on such occasions, to punish the offenders, and produce a salutary result. It is expected, that you will neglect no means of obliging, at the stated periods, the proper officers to make all returns requisite to exhibit the number and state of the troops in every position; to forward their muster and pay rolls, returns of the quantity of clothing delivered, on hand, or due to the soldiers, of the distribution generally of the public property, of the quantity and situation of every article in store, of the supplies which are or may be wanted, and every other exhibit and return necessary to the information of the Secretary of War, and indispensable to the accounting officers of the War Department.

You know precisely how much the regularity and perfection of such returns depend on the disposition of officers to execute their orders; and that a saving to the public, or a judicious and well-regulated economy, is rather more to be expected from the integrity, vigilance, and knowledge of those who are intrusted, or have a control over the army expenditures and property, than from the wisest general regulations or instructions that can possibly be devised. Whenever there is found a deficiency of secure deposits for, or a want of requisite qualities in the officer charged with the care and management of, the public property, it is expected that you will remedy the evil, if within your lawful powers, or point to the circumstance, that it may be considered by the authority competent to the remedy.

Finally, I cannot conclude these instructions without expressing my most unlimited confidence in your talents to execute the high trusts, which the President reposes in you, and my own most perfect reliance upon your co-operation and assistance in every thing that concerns the army establishment, and the means to remedy whatever defects may be found to exist therein; and that I shall at all times recognize, in the execution of the orders which you may receive, the most perfect evidences of your candor and friendship.

I have the honor to be, &c.,

JAMES MCHENRY.

SECRETARY OF NAVY TO HAMILTON.

NAVY DEPARTMENT, February 6th, 1799.

SIR:

I have the honor to inclose a paper containing the circumstances, and all the circumstances connected with the relative rank of Captains Truxton, Talbot, and Dale.

It appears to me, that Talbot and Dale cannot now be placed above Truxton, but by dismissing the latter from the service.

Dale, who has permission to make an East India voyage, is reconciled to what he conceives unavoidable, to rank after Truxton. Entertaining a very high opinion of Talbot, I am anxious that he should also acquiesce. From conversation with him, I judge it is in your power alone to satisfy him.

The error was in not selecting the three senior captains for the three frigates continued in service. The President, I conceive, had no power to continue more captains than frigates.

If Talbot will continue, only Barry, Nicholson, and Truxton will be above him. Nicholson cannot be long in his way. Barry is old and infirm, and not satisfied that he is not made an admiral. It is more than probable, Truxton and Talbot may not be on the same service.

STODDERT.

HAMILTON TO M'HENRY.

NEW-YORK, February 6th, 1799.

DEAR SIR:

In one of your letters you desire me to think of the distribution of the States into recruiting districts. I have accordingly turned my attention to this subject. But the result is, that it will be best to assign to each regiment its district and to charge its commanding officer with the arrangement into subdivisions. If you approve this idea, you had better write me an official let-

ter, briefly telling me that the recruiting service is to be put under my direction, and desiring me to make a preliminary arrangement for the distribution of the States into recruiting districts and rendezvouses; upon which I will send the proper instructions to the several commanders of regiments.

I have not yet observed that the places of the officers omitted in the arrangement reported by the general officers, have been supplied. I hope the recruiting service will begin with complete, not with mutilated or defective corps.

I regret that Gibbs was not appointed. There is good reason to believe that he would command a regiment well; probably better than the person whom the objectors to him would approve. Their rule of judging of military qualification is most likely no very accurate one.

I regret, also, that the objection against anti-federalism has been carried so far as to exclude several of the characters proposed by us. We were very attentive to the importance of appointing friends of the government to military stations; but we thought it well to relax the rule in favor of particular merit in a few instances, and especially in reference to the inferior grades. It does not seem advisable to exclude all hope, and to give to appointments too absolute a party feature. Military situations, on young minds particularly, are of all others best calculated to inspire a zeal for the service, and the cause in which the incumbents are employed. When the President thinks of his son-in-law, he should be moderate in this respect.

The inclosed letter from Colonel Fairlie relates to the *second* son of our late Chief Justice. His father, you know, was anti-federal. This young man has as yet no fixed political creed. They tell me there is nothing personally to his disadvantage. I am clear, therefore, that it will be expedient to give him an appointment.

Adieu, my dear friend. Yours truly, &c.

M'HENRY TO HAMILTON.

WAR DEPARTMENT, February 8th, 1799.

Your instructions (for recruiting) are, and have been, some days with the President. The moment he is pleased to decide, so as to enable me to proceed, you shall have them. I spoke to him yesterday on the subject; he had not considered them, and seemed to intimate the affair need not be hurried.

HAMILTON TO WILKINSON.

NEW-YORK, February 12th, 1799.

SIR:

The interesting incidents which have latterly occurred in our political situation, having rendered it expedient to enlarge the sphere of our military arrangements, it has in consequence become necessary to regulate the superintendence of our military force in its various and detached positions, in such a manner, as while it will serve to disburthen the Department of War of details incompatible with its more general and more important occupations, will likewise conduce to uniformity and system in the different branches of the service.

The Commander-in-Chief having, for the present, declined actual command, it has been determined, in pursuance of the above views, to place the military force every where, under the superintendence of Major-General Pinckney and myself.

In the allotment for this purpose, my agency is extended to the garrisons on the northern lakes, and to all the troops in the Northwestern Territory, including both banks of the Ohio and upon the Mississippi; in short, to all the western army, except the parts which may be in the States of Tennessee and Kentucky.

Of this you will have been informed by the Secretary at War.

From the relation, which is thus constituted between us, I allow myself to anticipate great mutual satisfaction. Every disposition on my part will certainly facilitate it, and tend to promote the discharge of your trust in the manner best adapted to your honor and the advancement of the service.

It was the united opinion of the Commander-in-Chief, General Pinckney, and myself, when lately convened at Philadelphia, that your speedy presence in this quarter was necessary, towards a full discussion of the affairs of the scene in which you have so long had the direction in their various relations, and towards the formation, with the aid of your lights, of a more perfect plan for present and eventual arrangements. Much may be examined in a personal interview, which, at so great a distance, cannot be effected by writing.

The actual and probable situation of our public affairs, in reference to foreign powers, renders this step indispensable.

You will therefore be pleased, with all practicable expedition, to repair to Philadelphia; upon your arrival there giving me immediate advice of it. If this can be most conveniently accomplished by way of New-Orleans, you are at liberty to take that route. On this point you are the best judge, and will no doubt act with circumspection.

It must rest with you to dispose of the command of the troops at the different stations during your absence, and to give the proper instructions, in conformity with those which have been received from the Secretary at War.

On this head, only one remark will be made. The confidence in your judgment has probably led to the reposing in you discretionary powers too delicate to be intrusted to an officer less tried; capable, perhaps, of being so used, as to commit prematurely the peace of the United States. Discretions of this tendency ought not to be transferred beyond what may be indispensable for defensive security.

Care must be taken that the nation be not embroiled, but in consequence of a deliberate policy in the government.

Official letters from you to me, as you have been apprised by the Secretary at War, are to be forwarded through him. They

must be open and under cover. The design of this is, that he may have an opportunity, in cases of great urgency, which could not conveniently wait for my direction, to interpose with the requisite measures.

In your absence, it will be proper that the officer, or officers you may substitute in the command, should communicate with you, also transmitting their letters open, under cover, to the Secretary at War. This will preserve unbroken the chain of your command.

HAMILTON TO WASHINGTON.

NEW-YORK, February 15th, 1799.

SIR:

The Secretary at War has communicated to me the following disposition with regard to the superintendence of our military forces and posts.

All those in the States south of Maryland, in Tennessee and Kentucky, are placed under the direction of Major-General Pinckney; those every where else under my direction, to which he has added the general care of the recruiting service.

The commencement of the business of recruiting, however, is still postponed, for the reason as assigned by the Secretary, that a supply of clothing is not yet ready.

In conformity with your ideas, I have directed General Wilkinson to repair to the seat of government, in order to a more full examination of the affairs of the western scene, and to the concerting of ulterior arrangements.

On this and on every other subject of our military concerns, I shall be happy to receive from time to time such suggestions and instructions as you may be pleased to communicate.

I shall regularly advise you of the progress of things, and especially of every material occurrence.

With perfect respect, I have the honor to be, &c.

HAMILTON TO WASHINGTON.

(PRIVATE.)

NEW-YORK, February 16th, 1799

DEAR SIR:

Different reasons have conspired to prevent my writing to you since my return to New-York; the multiplicity of my avocations, an imperfect state of health, and the want of something material to communicate.

The official letter herewith transmitted will inform you of the disposition of our military affairs which has been recently adopted by the Department of War. There shall be no want of exertion on my part to promote the branches of the service confided to my care.

But I more and more discover cause to apprehend that obstacles of a very peculiar kind stand in the way of an efficient and successful management of our military concerns. These it would be unsafe at present to explain.

It may be useful that I should be able to write to you hereafter some confidential matters relating to our administration without the mention of names. When this happens, I shall designate the President by X, the Secretary of State by V, of the Treasury by I, and of the Department of War by C. Every thing in the northern quarter, as far as I can learn, continues favorable to the government.

Very affectionately and truly,

I remain, &c.

HAMILTON TO M'HENRY.

NEW-YORK, February 16th, 1799.

SIR:

It is very material to me to have, without delay, the distribution of the additional twelve regiments and troops of horse among the respective States, according to the organization or arrangement which is contained in the report made to you in December, by the Commander-in-Chief.

This is requested with reference to the appointment of recruiting rendezvous.

HAMILTON TO WASHINGTON.

NEW-YORK, February 18th, 1799.

MY DEAR SIR:

Unwilling to take the liberty to ask you to give yourself any particular trouble on the subject, I have written the inclosed letters. I beg you to dispose of them as you suppose will best answer the end in view; that is, to obtain a speedy distribution of the State into districts and sub-districts.

With the truest attachment,

I have the honor to be, my dear Sir, &c.

HAMILTON TO SEDGWICK.

NEW-YORK, February 19th, 1799.

DEAR SIR:

It is intended to raise in Massachusetts, including the province of Maine, two regiments.

It is desired, for this purpose, to divide the State into four districts and twenty sub-districts, or company rendezvouses, to the end, that the recruiting service for each company may in the first instance be confined within a definite limit.

Will you, after consultation with such of your members as you deem expedient, favor me with a plan for the above purpose, and this as soon as may be? A place as the head-quarters of rendezvous, to which the recruits may be conveyed, and where they may be accommodated, is necessary.

Yours truly.

SEDGWICK TO HAMILTON.

PHILADELPHIA, 22d February, 1799.

DEAR SIR:

In answer to yours of the 19th, the gentlemen from Massachusetts have been together. I mean just as I requested, and have agreed on the following as the most eligible division of that State for the purpose of recruiting on your plan. Maine, a district; four places of rendezvous: Portland, Wiscasset, Augusta, and Castine. The counties of Essex, Suffolk, Bristol, Dukes County, Nantucket, Barnstable, and Plymouth, a district; seven places of rendezvous: Haverhill, Newburyport, Salem, Boston, Plymouth, Taunton, and Bridgewater. Middlesex, Norfolk, and Worcester, a district; five places of rendezvous: Groton, Watertown, Petersham, Worcester, and Dedham. Hampshire and Berkshire, a district; four places of rendezvous: Pittsfield, Worthington, Northampton, and Springfield.

It was presumed that it was not intended to mark the exact limits of each sub-district, as this could not be done without an enumeration of all the towns in the State, and if expedient to be be done at all, may be safely confided to the field officers.

I have seen as far as they are in the office of the Secretary of State, Mr. Murray's communications relative to the intercourse

between him and Pichon. Part of his letters have been immediately addressed to the President. As far as I have seen, there is more evidence of integrity than of wisdom. The details I have not time to write nor you to read.

It is one of the misfortunes to which we are subjected by the wild and irregular starts of a vain, jealous, and half frantic mind, that we are obliged to practise an infraction of correct principles, a direct communication between the President and Senate. I am this morning to wait on him and solicit an interview between him and the committee upon his nomination. The objects are to induce him to alter it, as it respects the person; and instead of an individual, to propose a commission,—as it respects the principles on which the negotiation shall commence,—and as it respects the scene within which it shall be carried on.

On all these points, I am told, and from good authority, he has formed strong opinions. If they are unalterable, I believe I must vote against the appointment, but at present I think that is not the inclination of a majority. A circumstance confirmatory of the President's total ignorance of human nature is, that he frequently declared, that he believed the message would add to the federal energies of the legislature.

I am most sincerely yours.

WASHINGTON TO HAMILTON.

MOUNT VERNON, February 25th, 1799.

SIR:

I have been duly favored with your letter of the 15th instant.

When the disposition was contemplated for assigning to Major-General Pinckney and to yourself your respective districts of superintendence, I was of opinion (as you will see by the inclosed copy of a letter, which I wrote to the Secretary of War on my way from Philadelphia to this place), that the *whole* of General Wilkinson's brigade should be considered as under

your immediate direction, because if a part of it which is or may be stationed in the States of Kentucky and Tennessee, should be under the superintendence of General Pinckney, and the other part under yours, it might occasion great inconvenience, and perhaps confusion, for General Wilkinson to have to communicate sometimes with one of the Major-Generals and sometimes with the other. This, I conceive, will still be the case if the disposition which —— mention to have been communicated by the Secretary of War should continue. I am therefore decidedly of opinion that the whole of General Wilkinson's brigade should be under your superintendence.

If it be determined to pursue the recruiting business at all, I regret extremely that there should have been so much delay in it; for the favorable season is passing off every day, and when the spring opens, great numbers of those who would readily enlist now, will be then engaged in other avocations, and we shall lose the precious moment.

I shall hope to be regularly advised of every occurrence which takes place in your military arrangements that you may think essential to communicate.

With very great regard, I am, &c.

P. S. I inclose herewith returns of troops, stores, &c., at Niagara, which have been forwarded to me by Major Rivardi; and shall, in acknowledging the receipt of them, desire that the returns in future may pass through you to the War Office.

AN ACT TO REGULATE THE MEDICAL ESTABLISHMENT.

Draft by Hamilton.

25th February, 1799.

Section 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that in the medical establishment of the United States there shall be the following officers:—A physician-general, who shall

be charged with the superintendence and direction of all military hospitals, and generally of all medical and chirurgical practice or service concerning the army or navy of the United States, and of all persons who shall be employed in and about the same, in camps, garrisons, and hospitals.

An apothecary-general, and one or more deputies, who shall be charged with the safe-keeping and delivery of all medicines, instruments, dressings, and other articles for the use of the hospital and the army. A purveyor, who shall be charged with providing medicines, stores, and whatsoever else may be necessary in relation to the said practice or service; a competent number of hospital surgeons, who shall be liable to serve in the field, and who shall have the immediate charge and direction of such military hospitals as may be committed to their care respectively; a suitable number of hospital mates, who are to observe the directions of the hospital surgeons, and shall diligently perform all reasonable duties required of them, for the recovery of the sick and wounded.

Section 2. And be it further enacted, That each military hospital shall have a steward, with a competent number of nurses and other attendants; which steward shall be charged with procuring of such supplies as may not otherwise be furnished, and with the safe-keeping and issuing of all supplies.

Section 3. And be it further enacted, That the said physician-general, hospital surgeons, purveyor, and apothecary or apothecaries, deputy or deputies, shall be appointed as other officers of the United States; that the said mates and stewards shall be appointed by the authority, and at the discretion of the said physician-general, subject to the eventual approbation and control of the President of the United States, and shall be removable by the authority of the said physician-general; and that the surgeon of each hospital shall appoint, employ, and fix the compensations of the nurses and other attendants of such hospital, subject to the control of the said physician-general, or the hospital-surgeon, of senior appointment, with a separate army, or in a separate district.

Section 4. And be it further enacted, That as often as the

regimental sick will not suffer by the employing of regimental surgeons or mates, in the temporary or other hospitals of the United States, the physician-general, or the hospital-surgeon of senior appointment with a separate army, or in a separate district, with the consent of the General and Commander-in-Chief, or the officer commanding a separate army, may require the attendance of such surgeon or surgeon's mates, as, in his opinion, can be with safety so withdrawn from their regiments.

Section 5. And be it further enacted, That it shall be the duty of the physician-general, with two or more hospital-surgeons, to frame a system of directions relative to the description of patients to be admitted into the hospitals; to the means of promoting cleanliness in the hospitals; to the prevention of idleness, skulking, and gambling in the hospitals; to the prevention of the spread of infectious distempers in the camps and hospitals, and the government of nurses, and all others charged with the care of the sick, in camps or hospitals, subject in the first instance to the approbation and revision of the Commander-in-Chief, the commander of a separate army, or in a separate district, as the case may be, and eventually, the approbation and control of the President of the United States. *Provided always*, That the said directions having received the sanction of the Commander-in-Chief, or the commander of a separate army, shall be operative, and remain in full force, unless altered or annulled by the President of the United States.

Section 6. And be it further enacted, That the compensations of the said several officers shall be as follows: Of the physician-general one hundred dollars pay per month, and fifty dollars per month, which shall be in full compensation for forage, rations, and travelling expenses. Of the purveyor, one hundred dollars pay per month, in full compensation for his services and all expenses. Of the apothecary-general, eighty dollars pay per month, and thirty dollars per month in full compensation for rations, forage, and all expenses: of each of his deputies, fifty dollars pay per month, and sixteen dollars per month in full compensation for forage, rations, and all expenses: of each hospital-surgeon, eighty dollars pay per month, and forty dollars per month

in full compensation for forage, rations, and all expenses: of each mate, thirty dollars pay per month, and twenty dollars per month in full compensation for forage, rations, and all expenses: of each steward, twenty-five dollars pay per month, and eight dollars per month in full compensation for forage, rations, and all expenses: *Provided*, that none of the officers aforesaid shall be entitled to any part of the pay or emoluments aforesaid, until they shall respectively be called into actual service.

Section 7. And be it further enacted, That for the accommodation of the sick of the army and navy of the United States, the physician-general and hospital-surgeon of senior appointments, with the approbation of the general commanding the army within the district where he shall be, shall have power to provide temporary hospitals; and the physician-general, with the approbation of the President of the United States, shall have power to provide and establish permanent hospitals.

Section 8. And be it further enacted, That all the said officers and others, shall, as touching their several offices and duties, be liable to the rules and regulations for the government and discipline of the army; and shall be bound to obey, in conformity with law, and the usages and customs of armies, the orders and directions of the chief military officers of the respective armies, and within the respective districts, in which they shall respectively serve and be.

Section 9. And be it further enacted, that the physician-general, or in his absence, the senior medical officer, with the approbation of the Commander-in-Chief, or commanding officer of a separate army, be, and hereby is authorized and empowered, as often as may be judged necessary, to call a medical board, which shall consist of the three senior medical officers then present, whose duty it shall be to examine all candidates for employment or promotion in the hospital department, and certify to the Secretary at War the qualifications of each.

HAMILTON TO RIVARDI.

New-York, March 1, 1799.

Sir:

The inclosed letter will inform you, that the post you command has been placed under my superintendence by the Department of War. In consequence of this arrangement, the returns for December last, which you forwarded to the Commander-in-Chief, have been by him transmitted to me.

As my superintendence extends to all the posts on the northern and northwestern quarters, I am desirous of revising the reasons upon which they have been established, in order to be enabled to judge, whether the present disposition ought to be continued or altered. To this end, I am to request, that you will, as early as may be, visit the several posts Michilimackinac, Detroit, Fort Defiance on the Miami, and Presque Isle, together with such intervening and proximate positions as may present eligible military points, paying particular attention to the strait which connects Lakes St. Clair and Erie, and to the southwestern extremity of the latter lake. After doing which, you will repair to New-York to report to me the result of your observations, and to confer on the subject at large. In this examination, you will have an eye to the various considerations of defence, settlement and trade, with reference both to our British neighbors and to the Indians. I deem it unnecessary to enter into detail on these heads. The account I have received of your knowledge and discernment assures me that you will execute the commission with accurate observation and with comprehensive views. At the same time you will bear in mind that it particularly suits the state and temper of this country to effect as much as possible with the least possible expense.

With great consideration, I am, &c.

AN ACT FOR THE BETTER ORGANIZING OF THE TROOPS OF THE UNITED STATES AND FOR OTHER PURPOSES.

Draft by Hamilton.

March 3d, 1799.

1. *Be it enacted, &c.* That the troops heretofore authorized, and which hereafter may be authorized, to be raised, shall be composed and organized as follows, to wit: A regiment of infantry shall consist of one lieutenant-colonel commandant, two majors, first and second, one adjutant, one quartermaster, and one paymaster, each being a lieutenant, one surgeon, and two surgeon's mates, ten captains, ten first and ten second lieutenants, besides the three lieutenants before mentioned, ten cadets, two sergeant-majors, two quartermaster sergeants, two chief musicians, first and second, twenty other musicians, forty sergeants, forty corporals, and nine hundred and twenty privates, which, together, shall form two battalions, each battalion of five companies. A regiment of cavalry shall consist of one lieutenant-colonel commandant, two majors, a first and second, one adjutant, one quartermaster, and one paymaster, each being a lieutenant; one surgeon, and two surgeon's mates, ten captains, ten first and ten second lieutenants, besides the three lieutenants before mentioned, ten cadets, two sergeant-majors, two quartermaster-sergeants, two chief musicians, first and second, ten other musicians, forty sergeants, forty corporals, and nine hundred and twenty privates, including ten saddlers, ten blacksmiths, and ten bootmakers; which, together, shall form five squadrons, each squadron of two companies. A regiment of artillery shall consist of one lieutenant-colonel commandant, four majors, one adjutant, one quarmaster, and one paymaster, each being a lieutenant; one surgeon, and two surgeon's mates, sixteen captains, thirty-two lieutenants, besides the three lieutenants before mentioned, thirty-two cadets, four sergeant-majors, four quartermaster-sergeants, sixty-four sergeants, sixty-four corporals, one chief musician, ten other musicians, eight hundred and ninety-six privates, including one hundred and twenty-eight artificers, which, toge-

ther, shall form four battalions, each battalion of four companies; provided, always, that the number of privates raised, and to be raised, for the regiment of cavalry, and the regiments of infantry heretofore authorized, shall not exceed the number, respectively, for which provision hath been made by law; nor shall the battalion of riflemen, nor the two additional troops of cavalry authorized by this act, be raised, until further provisions shall be so made, unless war shall break out between the United States and some European prince, potentate, or state, in which case it shall be lawful for the President of the United States, at his discretion, to cause the said regiments, or any of them, to be severally completed to their full establishment.

2. That every ensign and cornet, in the regiments heretofore appointed, shall be denominated hereafter second lieutenants.

3. That the officers, non-commissioned officers, and privates hereinafter mentioned, who now a e, or at any time hereafter may be, in the actual service of the United States, shall be entitled to, and shall receive the following compensations, to wit: a major-general, one hundred and sixty-six dollars per month, and fifteen rations of provisions per day, or an equivalent in money; and when forage shall not be furnished by the United States, the further sum of twenty dollars per month. A brigadier-general, one hundred and four dollars per month, twelve rations per day, or an equivalent in money, and sixteen dollars per month for forage, when not furnished as aforesaid. A lieutenant-colonel commandant, seventy-five dollars per month, six rations per day, or an equivalent in money, and twelve dollars for forage, when not furnished as aforesaid. A major of artillery, or cavalry, each fifty-five dollars per month, four rations per day, or an equivalent in money, and ten dollars per month for forage, when not furnished as aforesaid. A major of infantry, fifty dollars per month, four rations per day, or an equivalent in money, and ten dollars per month for forage, when not furnished as aforesaid. A captain of cavalry, forty dollars per month, three rations per day, or an equivalent in money, and eight dollars per month for forage, when not furnished as aforesaid. A

captain of artillery, and infantry, forty dollars per month, and three rations per day, or an equivalent in money. A first lieutenant of cavalry, thirty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid. Lieutenants of artillery, each, thirty dollars per month, and two rations per day, or an equivalent in money. A second lieutenant of cavalry, twenty-five dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid. A first lieutenant of infantry, thirty dollars per month, and two rations per day, or an equivalent in money. A second lieutenant of infantry, twenty-five dollars per month, and two rations per day, or an equivalent in money. A regimental surgeon, forty-five dollars per month, three rations per day, or an equivalent in money, and ten dollars per month for forage, when not furnished as aforesaid. A surgeon's mate, thirty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid. A regimental paymaster, quartermaster, and adjutant, in addition to their pay, in the line, each, ten dollars, and six dollars per month for forage, when not furnished as aforesaid. A cadet of cavalry, ten dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid. All other cadets, ten dollars per month, and two rations per day, or an equivalent in money. A sergeant-major, and a quartermaster-sergeant, each, ten dollars per month. A chief musician, eight dollars per month. A sergeant, eight dollars per month. A corporal, seven dollars per month. A musician, six dollars per month. An artificer to the infantry and artillery, a farrier, saddler, and boot maker to the dragoons, each, ten dollars per month. A private soldier, five dollars per month. And to each of the said non-commissioned officers and privates, one ration of provisions per day.

4. That all non-commissioned officers, artificers, privates, and musicians, who are, and who shall be, enlisted, and the non-commissioned officers, artificers, privates, and musicians of the militia, or other corps, who at any time may be in the actual ser-

vice of the United States, shall be, and they are hereby, exempted during their term of service, from all personal arrests, for any debt or contract. And whenever any non-commissioned officer, artificer, private, or musician, shall be arrested, whether by mesne process, or in execution, contrary to the intent hereof, it shall be the duty of the judge of the district court of the United States, and of any court or judge of a State, who, by the laws of such State, are authorized to issue writs of habeas corpus, respectively, on application by an officer, to grant a writ of habeas corpus, returnable before himself; and upon due hearing and examination, in a summary manner, to discharge the non-commissioned officer, artificer, private, or musician, from such arrest, taking common bail, if required, in any case, upon mesne process, and commit him to the applicant, or some other officer of the same corps.

5. That each non-commissioned officer, private, artificer, and musician, who shall hereafter be enlisted for the army of the United States, shall be able-bodied, and of a size and age suitable for the public service, according to the directions which the President of the United States shall and may establish; and shall be entitled to a bounty of twelve dollars; but the payment of four dollars thereof shall be deferred, until he shall have joined the army: And each commissioned officer, who shall be employed in the recruiting service, shall be entitled to receive for each non-commissioned officer, and private, and artificer, and for each sufficient musician, duly enlisted and mustered, the sum of two dollars, the same being in full compensation for his extra expenses in the execution of this service.

6. That when any officer shall be detached from a regiment, to serve as an aid to a general officer, or as assistant or other inspector, or as an assistant to the quartermaster-general, by whatsoever name, or as an assistant to the adjutant-general, by whatsoever name, the place of such officer in his regiment shall be supplied, by promotion or new appointment, or both, as may be requisite; but the officer detached shall, nevertheless, retain his station in his regiment, and shall rank and rise therein, in the same manner as if he had not been detached.

7. That no officer shall be appointed as the inspector of a division, who, when appointed, shall be of a rank higher than that of major, or as the inspector of a brigade, who, when appointed, shall be of a rank higher than that of captain, or as the aid of a major-general, who, when appointed, shall be of a rank higher than that of captain, or as the aid of a brigadier-general, who, when appointed, shall be of a rank higher than that of first lieutenant, or as the quartermaster of a division, who, when appointed, shall be of a rank higher than that of captain, or as the quartermaster of a brigade, who, when appointed, shall be of a rank higher than that of first lieutenant, or as an assistant to the adjutant-general, who, when appointed, shall be of a rank higher than that of captain.

8. That in the ordinary arrangement of the army, two regiments of infantry, or cavalry, shall constitute a brigade, and shall be commanded by a brigadier-general; two brigades a division, and shall be commanded by a major-general. *Provided always*, That it shall be in the discretion of the commanding general to vary this disposition whenever he shall judge it proper; and *provided also*, That this act shall not render it necessary to appoint any greater number of general officers than have been heretofore authorized by law, sooner than, in the opinion of the President, the military service of the United States shall require it.

9. That a commander of the army of the United States shall be appointed and commissioned, by the style of "general of the armies of the United States;" and the present office of lieutenant-general shall thereafter be abolished.

10. That there shall be a quartermaster-general of the army of the United States, who shall be entitled to the rank, pay, emoluments, and privileges of a major-general.

11. That it shall be lawful for the President of the United States, at his discretion, to organize, officer, and raise, a battalion of riflemen, to consist of the same number of officers and men, and to be entitled to the same pay and emoluments, whatsoever, as a battalion of infantry of the line.

12. That to any army of the United States, other than that in which the quartermaster-general shall serve, there shall be a

deputy quartermaster-general, who shall be a field officer, and who, in addition to his other emoluments, shall be entitled to fifty dollars per month, which shall be in full compensation for his extra services and travelling expenses; but the provisions of this act are not to affect the present quartermaster-general of the army of the United States, who, in case a quartermaster-general shall be appointed by virtue of this act, is to act as deputy quartermaster-general, and shall hereafter have the rank of lieutenant-colonel; and that, to every division of an army, there shall be a division quartermaster, who, in addition to his other emoluments, shall be entitled to thirty dollars per month, which shall be in full compensation for his extra services and travelling expenses; and that, to every brigade, there shall be a brigade quartermaster, who, in addition to his other emoluments, shall be entitled to twenty-four dollars per month, which shall be in full compensation for his extra services and travelling expenses, each of which officers shall be chosen by the quartermaster-general, from among the regimental officers.

13. That, to any army of the United States, other than that in which the inspector-general shall serve, there shall be a deputy inspector-general, who shall be a field officer, and who in addition to his other emoluments, shall be entitled to fifty dollars per month, which shall be in full compensation for his extra services and travelling expenses; and that, to every division of an army, there shall be a division inspector, who, in addition to his other emoluments, shall be entitled to thirty dollars per month, which shall be in full compensation for his extra services and travelling expenses; and that, to every brigade, there shall be a brigade inspector, who in addition to his other emoluments, shall be entitled to twenty-four dollars per month, which shall be in full compensation for his extra services and travelling expenses; each of which officers shall be chosen by the inspector-general, from among the regimental officers. The deputy inspector-general to be, in every case, approved by the general commanding the army to which he shall be annexed.

14. That the adjutant-general of the army shall be, *ex officio*, assistant inspector-general, and that every deputy inspector-gene-

ral shall be, *ex officio*, deputy adjutant-general, and shall perform the duties of adjutant-general in the army to which he shall be annexed.

15. That the paymaster-general of the armies of the United States shall always quarter at or near the head-quarters of the main army, or at such place as the Commander-in-Chief shall deem proper; and that, to the army on the western frontiers, and to detachments from the main army, intended to act separately for a time, he shall appoint deputy paymasters, who shall account to him for the money advanced to them, and shall each give a bond, in the sum of fifteen thousand dollars, with sufficient sureties, for the faithful discharge of their duties respectively, and take an oath *faithfully to execute the duties of their offices;* and the several regimental paymasters shall also give bond, in the sum of five thousand dollars, with one or more sufficient sureties, and take an oath as aforesaid, *for the faithful discharge of the duties of their offices*, respectively; and that the paymaster-general shall receive eighty dollars per month, with the rations and forage of a major, in full compensation for his services and travelling expenses; and the deputy, in addition to his pay and other emoluments, thirty dollars per month, in full compensation for his extra services and travelling expenses.

16. That every major-general of the army of the United States shall be entitled to two aids, to be chosen by himself, each of whom, in addition to his pay and other emoluments in his regiment, shall receive twenty-four dollars per month, and ten dollars per month for forage, when not furnished as aforesaid; and that every brigadier-general of the said army shall be entitled to one aid, to be chosen by himself, who, in addition to his pay and other emoluments in his regiment, shall receive twenty-four dollars per month, and ten dollars per month for forage, when not furnished as aforesaid.

17. That the President of the United States be authorized to engage and appoint, distinct from the officers of the corps of artillerists and engineers, two engineers, with the rank of lieutenant-colonel, and to stipulate and allow to them, respectively, such compensations as he shall find necessary and expedient.

18. That an inspector of fortifications shall be appointed, whose duties shall be assigned by the Secretary of War, under the direction of the President of the United States; that the compensation to be allowed to the said inspector, if selected from the corps of artillerists and engineers, in full for his extra services and travelling expenses, shall, besides his pay and emoluments in the corps, be thirty-five dollars per month; and if he shall not be an officer in the artillery or army, he shall, in full compensation for his services and expenses, be allowed the sum of seventy-five dollars monthly, and be entitled to the rank of major in the army of the United States; and in case the said inspector shall be chosen from the corps of artillerists and engineers, or army of the United States, his place therein shall be supplied by promotion, or a new appointment, or both, as may be requisite; but he shall, nevertheless, retain his station in the said corps or army, and shall rank and rise therein, in the same manner as if he had never been appointed to the said office of inspector.

19. That a ration of provisions shall henceforth consist of eighteen ounces of bread or flour, or, when neither can be obtained, of one quart of rice, or one and a half pound of sifted or bolted Indian meal, one pound and a quarter of fresh beef, or one pound of salted beef, or three-quarters of a pound of salted pork; and, when fresh meat is issued, salt, at the rate of two quarts for every hundred rations; soap, at the rate of four pounds, and candles, at the rate of a pound and half for every hundred rations. *Provided always*, That there shall be no diminution of the ration to which any of the troops now in service may be entitled by the terms of their enlistment.

20. That every non-commissioned officer, private, artificer, and musician, of the artillery and infantry, shall receive, annually, the following articles of uniform clothing, to wit: one hat, one coat, one vest, two pair of woollen and two pair of linen overalls, four pair of shoes, four shirts, four pair of socks, one blanket, one stock and clasp, and one pair of buckles.

21. That suitable clothing be provided for the dragoons, adapted to the nature of the service, and conformed, as near as

may be, to the value of the clothing allowed to the infantry and artillery.

22. That it shall be lawful for the Commander-in-Chief of the army, or the commanding officer of any separate detachment or garrison thereof, at his discretion, to cause to be issued, from time to time, to the troops under his command, out of such supplies as shall have been provided for the purpose, rum, whiskey, or other ardent spirits, in quantities not exceeding half a gill to each man per day, excepting in cases of fatigue service, or other extraordinary occasions; and that whensoever supplies thereof shall be on hand, there shall be issued to the troops vinegar, at the rate of two quarts for every hundred rations.

23. That it shall be lawful for the commanding officer of each regiment, whenever it may be necessary, to cause the coats, vests, and overalls or breeches, which may, from time to time, be issued to and for his regiment, to be altered and new made, so as the better to fit them to the persons, respectively, for whose use they shall be delivered; and for defraying the expense of such alteration, to cause to be deducted and applied, out of the pay of such persons, a sum or sums not exceeding twenty-five cents for each coat, eight cents for each vest and for each pair of overalls or breeches.

24. That it shall be lawful for the Secretary of War to cause to be provided, in each and every year, all clothing, camp utensils, and equipage, medicines, and hospital stores, necessary for the troops and armies of the United States, for the succeeding year, and for this purpose to make purchases, and enter, or cause to be entered into, all necessary contracts or obligations for effecting the same.

25. That whenever any officer or soldier shall be discharged from the service, except by way of punishment for an offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient to travel from the place where he receives his discharge to the place of his residence, computing at the rate of twenty miles to a day.

26. That there shall be allowed to the inspector-general, in addition to his allowance as major-general, and in full compen-

sation for extra services and expenses in the execution of his office, the sum of fifty dollars per month, and that he shall be allowed a secretary, to be appointed by himself, with the pay and emoluments of a captain.

Approved, March 3, 1799.

HAMILTON TO ———.

1799.

You are already apprised that the contractors are to furnish the means of transportation by land and water. If you find this plan marked with a spirit of economy, you must recollect that a strict attention to economy is not less necessary to the true interests of the officers than to that of the country. So great is the unavoidable expense of every military establishment (greater in proportion in our country than any other), that unless all the savings are made which can consist with propriety, it will be impossible for the government to maintain the force requisite for security, or to make and continue those provisions which are really essential to the comfort and respectability of the army. These ideas are so important, that they cannot be too deeply impressed upon the minds of officers.

Yet, if any thing more than is contemplated by this letter shall be necessary to a reasonable accommodation of the troops, suggestions to that end will be received and carefully examined.

HAMILTON TO PINCKNEY.

New-York, March 7, 1799.

Sir:

The Secretary at War has informed you that the general superintendence of the recruiting service is confided to me, as an incident to the inspectorship.

As a preliminary to this, it is requisite to distribute the States respectively into districts and sub-districts; the latter to correspond with the number of companies to be raised in each State, assigning one company to each sub-district; and the former to be proportioned to the number of field-officers.

I request the favor of you, as speedily as may be, to make the distribution for the States of Georgia and the two Carolinas, and to communicate to me the result.

I have been told that the commencement of the recruiting service depended on the completion of an adequate supply of clothing, and I ought to calculate that this is nearly ready.

Perhaps it may promote expedition to transmit me successively the arrangement for each State as it shall be completed.

HAMILTON TO WASHINGTON.

NEW-YORK, March 14th, 1799.

SIR:

I have the honor to send you the extract of a letter of the 8th instant (received two days since) from the Secretary of War, together with the section of the act to which it relates.

I am entirely of opinion with him as to the expediency of causing the Paymaster-General to reside at the seat of government; but, as the measure is of importance, and especially as the act expressly refers the point to the "Commander-in-Chief," I did not think myself at liberty to act without your previous decision.

I request instruction on the point as soon as shall be convenient, unless you shall think it proper to give yourself the necessary orders to the Paymaster-General.

With perfect respect and attachment, &c.

HAMILTON TO M'HENRY.

NEW-YORK, March 15, 1799.

SIR:

I have digested some alterations in and additions to the recruiting instructions, which I now send for consideration and decision.

The nature of each will announce its motive, so as to render little comment necessary.

A few remarks will be seen in the margin of some of the clauses.

I shall be glad of a determination as soon as may be, in order to the transmission of the instructions, that they may be considered and understood; so that the officers may be ready to act the moment orders shall be given to begin to recruit.

P. S. I agree entirely in the opinion expressed in your letter of the 8th instant (which was delayed in its transmission), respecting the residence of the Paymaster-General; but, as the act expressly requires the intervention of the "Commander-in-Chief," I have thought it right to ask the orders of General Washington. I hope this will appear to you in the same light.

HAMILTON TO M HENRY.

NEW-YORK, March 16, 1799.

SIR:

Though I have not as yet complete materials for arranging all the States into districts and sub-districts, I now submit to you an arrangement of some of them, in order that the recruiting service may begin in these when you deem other things sufficiently mature to commence it. There occurs no important reason why it should not be successively undertaken. On the

contrary, so far as I have the means of judging, I should conclude that it would be expedient to begin partially, and extend as the provision of supplies extends. An arrangement will now be submitted for the States of Connecticut, New York, New Jersey, Pennsylvania, and Delaware. But, if necessary, I am prepared to offer what may answer the end for the other States, except the three most southern, and Kentucky and Tennessee. A plan for the two Carolinas and Georgia has been asked of General Pinckney, but there has not been time to obtain his reply. If the business were otherwise prepared, there could be no inconvenience in referring it to him to make the distribution definitively. The arrangement for Tennessee and Kentucky may also be referred to persons on the spot.

M'HENRY TO HAMILTON.

March 18th, 1799.

SIR:

I have received your letter of the 15th instant, with alterations and additions proposed to be made to the recruiting instructions. These have been considered, generally adopted, and with some further alterations will be put into the hands of a printer to-day, and a sufficient number of copies sent you as soon as they shall be printed.

HAMILTON TO M'HENRY.

(PRIVATE.)

NEW-YORK, March 18, 1799.

Beware, my dear sir, of magnifying a riot into an insurrection, by employing in the first instance an inadequate force. 'Tis better far to err on the other side. Whenever the govern-

ment appears in arms, it ought to appear like a *Hercules*, and inspire respect by the display of strength. The consideration of expense is of no moment compared with the advantages of energy. 'Tis true, this is always a relative question, but 'tis always important to make no mistake. I only offer a *principle* and a *caution*.

A large corps of auxiliary cavalry may be had in Jersey, New-York, Delaware, Maryland, without interfering with farming pursuits.

Will it be inexpedient to put under marching orders a large force provisionally as an eventual support of the corps to be employed to awe the disaffected? Let all be well considered.

Yours truly.

HAMILTON TO M'HENRY.

(PRIVATE.)

NEW-YORK, March 19th, 1799.

DEAR SIR:

I understand that the officers for Connecticut have been appointed and their names published, but I have seen no paper containing them. If so, be so good as to send me the list, and if there have been other appointments since the lists transmitted to me, pray let them be added.

Pursuant to your very proper idea of having at the seat of government the chief of different departments, it seems to me advisable that you should have some *agent* for the commissariat or *provision branch*, to whom applications may be addressed, and from whom orders may issue to the different contractors or sub-agents.

Did those provisions of the "act for organizing," &c., which declare that the Adjutant-General shall be *ex officio* Deputy Inspector-General, and which allow the Inspector-General a secretary, continue in the bill when passed? Is there any arrange-

ment which prevents me from calling for the assistance of the Adjutant-General when I deem it necessary?

WASHINGTON TO HAMILTON.

MOUNT VERNON, 25th March, 1799.

DEAR SIR:

Your letter of the 14th instant with its inclosures, came to hand by the last post.

In the present state of the army, (or more properly the embryo of one, for I do not perceive, from any thing that has come to my knowledge, that we are likely to move beyond this,) and until the augmented force shall have been recruited, assembled, and in the field, the residence of the Paymaster-General (I did not know there was one until your letter announced it), will be found most eligible at the seat of the general government; and you will please to give such orders respecting it, as you shall think proper, for I am unwilling to issue any.

Under this cover you will find a letter which I have just received from Colonel Hamtranck, with a short acknowledgment of its receipt; which you will be go good as to forward with your dispatches for the western army. With very great esteem and regard, I am, dear sir, &c.

M^C^PHERSON TO HAMILTON.

PHILADELPHIA, March 25, 1799.

DEAR SIR:

I have the pleasure to acknowledge the receipt of your letter of the 22d, on the subject of the insurrection in this State, and should have replied immediately, but knowing that I was to

receive my instructions from the War Office on this day, I thought it best to wait. The fact is, sir, that in the counties of Northampton, Berks, Montgomery, and part of Bucks, the people have manifested the strongest determination to oppose the laws, by openly, and with a military force, rescuing from the marshal a number of prisoners. I say military force, for they were headed by officers who are commissioned under the State, and were completely armed and equipped; it is also certain that, in addition to the party that effected the rescue, several detachments were on their march to accomplish the same purpose, when hearing that the business was done, they retired. In short the people of the before-mentioned counties seem ripe for any thing, and I am sorry to add, very strong indications of a similar disposition have appeared in the county of Northumberland; and although it is not likely that they have as yet any systematic mode of operation, it however appears to be a very dangerous combination, and that the most energetic conduct on the part of the administration is absolutely indispensable. How far the Executive accord with my sentiments you will judge when I have this day received orders to march as soon as the force can be collected, with 240 horse (to use the Secretary's expression), to the theatre of insurrection. My supporting parties are the detachments under Captain Henry, who has arrived at Newton, in the county of Bucks, and two companies of artillerists, who are ordered to rendezvous at Reading, in the county of Berks; the two most opposite points the Secretary could have hit on, and which I cannot correct unless I oblige the party at Reading to take a very circuitous route, or march them through the heart of the disaffected country—which I should not from the smallness of their number be justified in doing. I have, therefore, determined to leave them at that point, and shall to-morrow send orders to Captain Henry to move across the county of Bucks by a course I shall point out, which will be perfectly safe, until he comes in contact with my route, when I shall take post somewhere in the neighborhood of Bethlehem, and use my best endeavors to accomplish the purpose of my command. I confess I could have wished a different mode of operation had been

adopted, and which I am convinced would have made a more serious and lasting impression than my scampering through the country with a few horse. My plan would have been to march the volunteer infantry of this city, who, with Captain Henry's detachment, would have given me a sufficient force to take any post in the disaffected country, from which I could make excursions with my horse in every proper direction. But the Secretary thinks otherwise, and I shall obey.

I shall from time to time give you information of my progress, and of every important occurrence.

I am with great regard,

Most truly yours.

HAMILTON TO WASHINGTON.

NEW-YORK, March 27th, 1799.

DEAR SIR:

At length we are on the point of commencing the recruiting service in five of the States, Connecticut, New-York, New Jersey, Pennsylvania, and Delaware. It is hoped, that it will not be long in successfully embracing the others, where officers have been appointed. But in our affairs, till a thing is actually begun, there is no calculating the delays which may ensue.

You have been informed that the recruiting service has been put under my directions; but for many matters of detail, I must go to the Secretary for a sanction, and it is not always that it is rapidly obtained. Things however are at last getting into such a state, that the business may be expected to progress without interruption.

The letter some time since sent you for General Lee, was intended to be left open. It respected the division of Virginia into four districts, and twenty sub-districts, or company rendezvouses, designating a place in each for the head-quarters of the rendez-

vous. I have as yet had no acknowledgment of it. Before General Morgan left Philadelphia, I got him to give me a plan. Inclosed is a copy. If you think a better arrangement can be made, shall I ask the favor of you to have it done? for I cannot now rely on the success of my resort to General Lee in any reasonable time.

Will you have the goodness to put the letters herewith in a train to reach their destination with certainty? They are open, that you may perceive their object.

Very respectfully and affectionately,
I have the honor to be, &c.

M'HENRY TO HAMILTON.

March 29th, 1799.

The regular troops ordered to the scene of insurrection have all reached their first points of destination, except the company from this place, which is to march when ordered by General McPherson. The General received his instructions on Monday last; and every thing dependent on me has been done which regards the expedition. It seems that the adjutant-general for this State has not yet been able to furnish him with certain necessary returns. Is it not remarkable that however slightly the present governor of Pennsylvania comes in contact with insurrection, that delay becomes unavoidable in quelling it?

HAMILTON TO WASHINGTON.

New-York, April 3d, 1799.

Dear Sir:

Agreeably to your letter of the 25th of March, which, with its inclosures have duly come to hand, I have written to the Pay-

master-General to repair to the seat of government. Your letter to Colonel Hamtranck goes by the same opportunity.

The arrangements for beginning to recruit in the States of Connecticut, New-York, New Jersey, Pennsylvania, and Delaware are so mature, that it will be very extraordinary if the business does not actually commence in a week.

Nothing in my power will be omitted to press it forward in the other States. The prospect of success in the Middle and Northern States is not bad.

I get nothing very precise about the insurrection. But every thing continues to wear the character of feebleness in respect to the measures for suppressing it; and though I hope it will not become very serious, yet it will not be astonishing if, from mismanagement, it should become more troublesome than it need to be.

With greatest respect and attachment, &c.

HAMILTON TO M'HENRY.

NEW-YORK, April 8, 1799.

SIR:

Nothing can be more desirable than a well-digested plan for connecting the different parts of our military system, in regard to the procuring and issuing of supplies. I send you the outline of a scheme for that purpose. It is important that this, or a substitute more eligible, should be without delay established. It is particularly essential, that the channels through which supplies are to pass to the troops, and the mode of application for them, should be designated and understood. The plan now transmitted, embraces this among other objects. I beg leave to urge a speedy attention to the subject.

With great respect and consideration,

I have the honor to be, &c.

Plan for the providing and issuing of Military Supplies.

The business of providing shall constitute one distinct branch of service; that of issuing, another.

The Purveyor shall be charged with the procuring of all supplies, except those for which contracts are made directly by the chiefs of the Treasury or War Departments.

The Superintendent of Military Stores shall superintend the issues of all supplies.

The Purveyor shall have near him three assistants, by whatsoever denominations; one, in relation to the supplies, which, according to past practice, fall within the department of Quartermaster-General, including the means of transportation; another, in relation to the supplies, which, according to past practice, fall within the department of Commissary of Provisions, with the addition of medical and hospital stores; a third, in relation to the supplies, which, according to past practice, fall within the department of Commissary of Military Stores, with the addition of clothing. The person who now resides at the seat of government, in quality of Quartermaster-General, may perform the duty of the first-mentioned assistant.

The Superintendent of Military Stores shall have near him three principal clerks, each of whom particularly to superintend the issues in one of the above-mentioned branches, aided by as many storekeepers as may be necessary.

The Purveyor shall have with each army a deputy, to be charged with the procuring of all supplies necessary to be procured with the army.

The Superintendent shall have with each army a deputy, who shall have under him three assistants; one, to superintend the issues of Quartermaster's stores; another, to superintend the issues of provisions; a third, to superintend the issues of other military stores and clothing.

The Purveyor and his deputies shall deliver over all that they provide to the Superintendent and his deputies. The actual custody and issuing of articles to be with the storekeepers, pur-

suant to the written orders of the Superintendent and his deputies.

The Quartermaster-General, with the main army, and the Deputy Quartermaster-General, with each separate army, shall have the superintendence of the deputies of the Purveyor, with the respective armies; to see that they do their duty according to their instructions from the heads of their respective branches and the order of the commander of the army.

The Inspector-General with the main army, and the deputy Inspector-General with each separate army, shall have a like charge of the deputies of the Superintendent of Military Stores.

These officers to serve as checks upon the respective deputies, and points of union between the military and civil authorities.

The Paymaster-General shall reside at the seat of government, and be the fountain of all issues of money for the pay, bounty, &c., of the troops. He shall have a deputy with each army, who shall be charged with the issuing of all moneys to the Regimental Paymasters.

The Quartermaster of each division shall be charged with the procuring of all supplies, which may be occasionally necessary for such division, in addition to the general supplies.

The Quartermaster of each brigade shall be charged with the like duty, when the brigade is detached only; and always with the superintendence of the issues for such brigade, and consequently with the direction of all brigade officers having the custody of supplies.

Each brigade shall have a Commissary of Forage, and another of Provisions; to be charged respectively with the issues of those articles.

The Regimental Quartermaster shall receive and issue all supplies for the regiment, except of money and clothing.

The Regimental Paymaster shall issue moneys for the recruiting service to the company officers charged with that service, pursuant to warrants from the commanding officer of the regiment, or from the superintending officer of the recruiting service for such regiment, taking from each an accountable receipt.

Whenever it is practicable, he will himself pay the officers, non-commissioned officers, and privates of his regiment, individually; when, by reason of distant detachments, this cannot be done, he will deliver the money to the officers commanding companies, or to the officers commanding parts of companies, at stations too distant for the agency of the commanders of companies; taking from each an accountable receipt. The money must, in each case, be paid and issued, pursuant to pay rolls signed by such commanding officers; and, wherever it is practicable, accompanied by the warrants of the commanding officers of the regiments, or of battalions when detached.

For all moneys which shall be issued to officers, to be disbursed by them, they shall account monthly with the Regimental Paymaster, producing to him the requisite vouchers. Upon every such accounting, he shall give a certificate of the substance thereof to the officers with whom such accounting shall be, specifying therein the vouchers which shall have been produced and left with him. This accounting shall be provisional only, and liable to the revision and control of the proper officer of the War Department, to whom the accounts and vouchers must be forwarded.

The same regulations, as nearly as the subject will admit, shall be observed in respect to the issuing of clothing and other articles (provisions excepted), which shall be issued to the non-commissioned officers and soldiers, and in respect to the accounting for the same.

Every receipt for pay, bounty, or other matter, from a non-commissioned officer or private who cannot write, shall be certified by a commissioned officer, who, wherever it shall be practicable, shall be other than the person for whom it is to serve as a voucher.

All documents or returns, upon which issues of money or other articles are to be made, must be countersigned by the chief officer of the regiment or other particular corps for which the same is to be issued.

The accounts of Regimental Paymasters and Quartermasters shall, previous to their transmission to the War Department, be

presented to the commanders of regiments, or of battalions when detached, and to the persons from whom respectively they shall have received the objects for which they are accountable, who shall summarily examine them, and certify their opinion respectively.

The above regulations shall apply to all persons who may act as substitutes for the officers to whom they relate.

All returns and requisitions for obtaining supplies from the Department of War, shall go from the Deputy Superintendent of Military Stores with each army to the said Superintendent.

Estimates of supplies shall be reported by the Deputy Quartermaster-General with each army to the commander of such army, and shall be by him transmitted to the Secretary of War, with his opinion.

Each deputy shall send a duplicate of every estimate to the Quartermaster-General, who shall report to the Commander-in-Chief general estimates for all the troops of the United States, illustrated by the particular estimates, which general estimates shall be transmitted by the Commander-in-Chief to the Secretary of War, with his opinion.

WASHINGTON TO HAMILTON.

(PRIVATE.)

MOUNT VERNON, April 10th, 1793.

MY DEAR SIR:

I have received your letter of the 27th ult., inclosing a design of dividing the State of Virginia into divisions and subdivisions for the head-quarters of the rendezvouses in each, asking my opinion of the proper distribution of them, for the convenience of the recruiting service.

The grand division of the State I conceive to be well allotted, and, with the following alterations, the subdivision of it may be so likewise; but of the latter, I can speak with no precision, be-

cause of the number of new counties which have been established, the situation of which I know not, and even the names of some were unknown to me before.

The alterations I propose, are as follow:

1st. To make Hobb's Hole, instead of the Bolling Green, the 8th rendezvous (referring to the plan you sent me), because, as you will perceive by the map of Virginia, Caroline county is the uppermost in *that* sub-district, and the Bolling Green lies at the upper corner of the said county.

2d. Let Fairfax and Loudon counties (which were formerly one) form a subdivision in place of Fairfax and Fauquier, which are separated by other counties. Alexandria or Leesburgh may be the head-quarters of that rendezvous. The first is (comparatively) large and populous, and on navigation; the other is 40 miles above navigation, and a small village; both are healthy, and well supplied with provisions, &c.

3d. Prince William and Fauquier ought to be annexed, instead of Prince William and Loudon, which join at the extreme corners only. Dumfries in Prince William or Fauquier Court House might be the rendezvous. The first is on navigation; the latter, 40 miles above, and more central.

4th. Yorktown is more in the centre of the 6th subdivision than Williamsburgh; and,

5th. Northumberland Court House is too low for the 9th subdivision; either Westmoreland or Richmond Court Houses, in point of centrality, would be more eligible.

General Lee's absence from home, canvassing for the ensuing election of representatives to Congress, and an indisposition with which he has (as I have lately heard) been seized, has been, I presume, the cause of your not having received an answer to your letter; for I am certain Mr. Bushrod Washington would have left it at his house as he returned home, agreeably to his promise to me.

Your letters to Colonels Parker and Bently I have forwarded by the post—the first, under cover to General Morgan, to whom Parker is a neighbor; the other, to Colonel Carrington, who will be able to give it a safe conveyance to Richmond—to the post-office in which it must have proceeded.

Not an officer in this State (that has come to my knowledge) has yet received his commission, to the great dissatisfaction of all, and relinquishment of many, who would no longer remain in a state of suspense and idleness.

With great truth,

I remain,

My dear Sir,

Your affectionate humble servant,

GEO. WASHINGTON.

HAMILTON TO WILKINSON.

April 15th, 1799.
April 20th, 1799.
April 25th, 1799.
May 24th, 1799.

General Hamilton presents his compliments to General Wilkinson, and sends him at foot, heads for conversations which it is proposed to have, in order to call the attention of G. W. to the several points. Most of them have, no doubt, been topics of communication with the War Department, but the freedom and particularity of conversation will yield additional lights, and lead perhaps to a correct system for the management of our Western affairs in their various relations.

Objects.

1. The disposition of our Western inhabitants towards the United States and foreign powers.

2. The disposition of the Indians in the same aspect.

3. The disposition of the Spaniards in our vicinity—their strength in number and fortification.

4. The best expedients for correcting or contracting hostile propensities in any or all these quarters, including,

5. The best defensive disposition of the Western army, em-

bracing the country of Tennessee and the northern and north-western lakes, and having an eye to economy and discipline.

6. The best mode (in the event of a *rupture with Spain*) of attacking the two Floridas. Troops, artillery, &c., requisite.

7. The best plan of supplying the Western army with provision, transportation, forage, &c.

8. The best arrangement of command, so as to unite facility of communication with the seaboard, and the proper combination of all the parts under the General commanding the Western army.

HAMILTON TO M'HENRY.

NEW-YORK, April 17th, 1799.

SIR:

Your letters of the 15th and 16th are duly come to hand; that for Lieutenant Leonard, with the money, will be forwarded without delay.

To-morrow I shall leave this place for Philadelphia. Several things will best be settled by personal conference, which in future will be mutually convenient, and will promote the service.

With great respect, &c.

HAMILTON TO WALBACH.

NEW-YORK, April 17th, 1799.

SIR:

My object is to see exemplified the elementary evolution of the cavalry, according to the systems of Prussia, France, and Great Britain, in order to compare them with each other, and select the best. For this purpose, I wished you to instruct

in those different evolutions a troop of volunteer horse, commanded by Captain Giles. I have spoken to this officer on the subject, and I wish you to see him, and concert a plan to fulfil the above purpose.

You will clearly understand, that I do not wish to extend your attention to the more complicated movements, but to the simple formation into columns, and display in line.

HAMILTON TO M'HENRY.

PHILADELPHIA, April 20th, 1799.

SIR:

Inclosed are the proceedings of a General Court Martial, of which Major Wilcocks is President. All the sentences except that of *Richard Hunt* have been approved, and directed to be executed. The corporal punishment in the case of Goldsberg, is remitted agreeably to the recommendation of the court. You will observe that the pay due to each of the offenders is forfeited.

As I do not conceive the United States to be now at war, in the legal import of that term, (which I construe to be a state not of *partial* but of *general* hostility,) I considered it as beyond my power to approve or execute such sentences as by the articles of war are referred to the President in time of peace. But while I think it my duty on this ground to transmit the sentence without acting upon it, I feel myself called upon by a profound conviction of the necessity of some severe examples to check a spirit of desertion which, for want of them in time past, has become too prevalent, and to respectfully declare my opinion that the confirmation and execution of the sentence are of material consequence to the prosperous course of the military service. The crime of desertion is in this instance aggravated by the condition of the offender, who is a sergeant, and by the breach of trust, in purloining the money which was in his hands for the pay of his company.

HAMILTON TO M'HENRY.

PHILADELPHIA, April 23, 1799.

SIR:

Upon a careful inspection of the articles of war, I entertain doubts, whether I can *act* upon, by *approving* or disapproving sentences of courts martial, referred to me from the Department of War in cases in which the courts have been instituted by that department through organs other than myself.

As there is peculiar delicacy in inflicting punishment upon questionable authority, I shall be glad to be exempted from the embarrassment, which references of the above-mentioned kind will occasion.*

M'HENRY TO HAMILTON.

(PRIVATE.)

WAR DEPARTMENT, 23d April, 1799.

DEAR SIR:

I wish you to state to me, 1st. The rule which in your opinion will be the least exceptionable, whereby to determine the relative rank of the field officers of the new regiments and the reasons for preferring the rule. 2d. Whether any objections have occurred to you, which ought to induce any alteration in the general rules of promotion suggested by the general officers in the Commander-in-Chief's letter, dated the 13th December, viz., "That all the officers shall rise in the regiments to which they respectively belong up to the rank of major, inclusively, that afterwards they shall rise in the line of the army at large, with the limitation, however, that the officers of artillery, cavalry,

* I have written personally to Col. Strong to abstain from the execution of martial law at Detroit till further orders, as I desire maturely to reflect on the subject before a definite step.

and infantry shall be confined to their respective corps, until they shall attain the rank of colonel."

HAMILTON TO M'HENRY.

PHILADELPHIA, April 26th, 1799.

SIR:

It being urgent that the two regiments of artillery should be organized into companies, and disposed of to the several destinations which you have contemplated, the result is, that a very inconvenient delay would attend the making of that arrangement in concert with General Pinckney, as suggested in your late letter. As, likewise, this arrangement is a mere matter of organization, the distribution of force having been previously determined upon, it is presumed there will not appear, on further consideration, any sufficient motive for incurring the delay of such a concert; and that you will think it preferable, by the intervention of your agency, to settle the arrangement, and communicate it for execution to the two major-generals.

In this expectation, I beg leave to submit to you the plan of such an arrangement. The result will be seen in the paper herewith transmitted.

A preliminary basis, in conformity with the rule by which the twelve regiments have been numbered, is on the seaboard to give the right to the first regiment, the left to the second. This, as it happens, will occasion the least possible dislocation of the companies from the present stations.

You will perceive that a battalion of the first regiment is left to the western army; and it so turns out that the number of officers in that quarter corresponds.

Another battalion of the same regiment is assigned to the posts in Georgia and South Carolina, and a third to the posts in North Carolina, Virginia, and Maryland.

The fourth will remain for the troops in the field, and may

be annexed to that part of the army under the command of General Pinckney.

One battalion of the second regiment is assigned to the posts in Delaware, Pennsylvania, New Jersey, and New-York.

Another to the States eastward and northward of New-York.

The third is reserved for the field, and will naturally form a part of my command.

The fourth battalion of this regiment not being yet raised, it of course cannot be comprehended in an immediate disposition.

In the association of officers for the companies, I have availed myself of all the indications which I was able to discover of their actual relations. But it may happen when situations and characters are better ascertained, that some alterations may promote personal harmony, and benefit the service. It is therefore desirable, that the adoption by you may be qualified by a view to further information, to be obtained through the field officers, and to eventual changes.

There were no indications to regulate the association of the officers with the western army. It is consequently proposed to refer this to Colonel Burbeck.

When you shall have approved the plan now presented, or with such alterations as you may judge advisable, it will only remain to communicate your determination to the two Major-Generals, who will concert its prompt execution.

It is extremely to be wished that a commandant of the second regiment may without delay be appointed. You are sensible how much in the first stages of a military corps the want of the proper chief must impede the establishment of order and discipline.

M'HENRY TO HAMILTON.

(PRIVATE.)

WAR DEPARTMENT, April, 1799.

DEAR SIR:

I have occasionally thought of the plan for providing and issuing military supplies, submitted in your letter of the 8th in-

stant. It strikes me that the additional assistants to the purveyor and superintendent of military stores which it proposes, will tend to facilitate both purchases and deliveries; and the powers assigned to the inspector-general, and deputy inspector-general, and quartermaster and deputy quartermaster-general with a separate army over the deputies of the purveyors and superintendent with the respective armies, to the discovery and correction of abuses. The details of the business enjoined upon these officers, are similar to those under a former establishment. There was always with the main branch of the revolutionary army, the quartermaster-general, commissary-general of issues and purchases of provisions, the field commissary of military stores, and deputy paymaster, whose duties were nearly the same as specified in the plan. So far, therefore, the plan is founded upon experience.

The rest of the plan appears to correspond with general practice and the arrangements suggested by an act of the 3d day of March, and the position and duties you have concurred in with respect to the paymaster-general.

I shall request Mr. Wolcott to consider the whole, when I shall take it up for a final determination.

HAMILTON TO WASHINGTON.

(PRIVATE.)

NEW-YORK, May 3d, 1799.

DEAR SIR:

At length the recruiting for the additional regiments has begun in *Connecticut*, *New-York*, *New Jersey*, *Pennsylvania*, and *Delaware*. The inclosed return of clothing will sufficiently explain to you that it has at least commenced as soon as the preparations by the Department of War would permit. It might now also proceed in Maryland and Massachusetts, and the next post will, I trust, enable me to add Virginia, but that I do not think

it expedient to outgo our supply of clothing. It will have the worst possible effect, if the recruits are to wait a length of time for their clothing.

I anticipate your mortification at such a state of things. Various causes are supposed to contribute to it.

It is said, that the President has heretofore not thought it of importance to accelerate the raising of the army, and it is well understood that the Secretary of the Treasury is not convinced of its utility. Yet he affirms, that for a long time past he has been ready and willing to give every aid depending on his department.

The Secretary of War imputes the deficiency in the article of clothing to a failure of a contract which he had made, and to the difficulty of suddenly finding a substitute by purchases in the market. It is therefore obvious, that the means which have since been pursued have not been the best calculated for dispatch. The materials procured at distant places have been brought to Philadelphia to be made up. They are stated to be adequate in quantity.

You will observe that six are numbered 1. This applies to a regiment in the western country. I proposed to the Secretary to change the buttons. It has not been done.

Yet, if the Secretary's energies for execution were equal to his good dispositions, the public service under his care would prosper as much as could be desired. It is only to be regretted that good dispositions will not alone suffice, and that, in the nature of things, there can be no reliance that the future progress will be more satisfactory than the past.

Means, I trust sufficient, have been taken to procure from Europe a supply of clothing for the next year, and the Secretary has assured me, that he would immediately take measures for procuring a supply for the succeeding year.

As to other supplies, I believe things are in tolerable train, and that there is a certainty of the most essential articles in due abundance.

The officers for North Carolina have been appointed. No nominations have come forward from South Carolina.

Not a single field-officer has yet been appointed for the regiment to be raised in New Hampshire, Vermont, and Rhode Island. It seems the members of Congress dissuaded from the nomination of those who were proposed by the General officers, and promised to recommend preferable characters; but this promise has not yet been performed. This want of organization is an obstacle to the progress of the affairs of this regiment.

It is understood that the President has resolved to appoint the officers to the provisional army, and that the Secretary has thought fit to charge the *Senators* of each State with the designation of characters.

With the truest respect and attachment, &c.

HAMILTON TO M^c^HENRY.

NEW-YORK, May 3d, 1799.

SIR:

After mature reflection on the subject of your letter of the 26th of last month, I am clearly of opinion that the President has no power to make, alone, the appointment of officers to the battalion which is to be added to the second regiment of artillerists and engineers.

In my opinion, "*vacancy*" is a relative term, and presupposes that the office has been once filled. If so, the power to fill a vacancy is not the power to make an *original* appointment. The terms "which may have *happened*," serve to confirm this construction. They imply casualty, and denote such offices as, having been once filled, have become vacant by accidental circumstances. This, at least, is the most familiar and obvious sense, and, in a matter of this kind, it could not be advisable to exercise a doubtful authority.

It is clear that, independent of the authority of a special law,

the President cannot fill a vacancy which happens during a session of the Senate.

HAMILTON TO M'HENRY.

New-York, May 18th, 1799.

Sir:

It is urgent that arms for the troops to be raised be at the regimental rendezvous as speedily as possible.

Military pride is to be excited and kept up by military parade. No time ought to be lost in teaching the recruits the use of arms. Guards are necessary as soon as there are soldiers, and these require arms.

When I came to see the hats furnished for the 12th regiment, I was disappointed and distressed.

The Commander-in-Chief recommended cocked hats. This always means, hats cocked on three sides. I was assured that cocked hats were provided. I repeated the assurance to the officers. But the hats received are only capable of being cocked on one side, and the brim is otherwise so narrow, as to consult neither good appearance nor utility. They are also without cockades and loops.

Nothing is more necessary than to stimulate the vanity of soldiers. To this end, a smart dress is essential. When not attended to, the soldier is exposed to ridicule and humiliation. If the articles promised to him are defective in quality or appearance, he becomes dissatisfied, and the necessity of excusing the public delinquency towards him, is a serious bar to the enforcement of discipline. The government of the country is not now in the indigent situation in which it was during our revolutionary war. It possesses, amply, the means of placing its military on a respectable footing, and its dignity and its interest equally require that it shall act in conformity with this situation. This course is indeed indispensable, if a faithful, zealous, and well

regulated army is thought necessary to the security or defence of the country.

HAMILTON TO HAMTRANCK.

NEW-YORK, May 23d, 1799.

SIR:

* * * You are aware that the Governors of the Northwestern Territory and the Mississippi Territory, are severally *ex officio* superintendents of Indian affairs. The management of those affairs, under the direction of the Secretary of War, appertains to them. The military in this respect are only to be auxiliary to their plans and measures. In saying this, it must not be understood that they are to direct military dispositions and operations. But they are to be the organs of all negotiations and communications between the Indians and the government. They are to determine when and where supplies are to be furnished to those people, and what other accommodations they are to have. The military, in regard to all such matters, are only to act as far as their co-operation may be required by the Superintendent, avoiding interferences without previous concert with them, or otherwise than in conformity with their views. This will exempt the military from a responsibility which had better rest elsewhere, and it will promote a regular and uniform system of conduct towards the Indians; which cannot exist if every commandant of a post is to intermeddle separately and independently in the management of the concerns which relate to them.

This communication is made in conformity with an instruction from the Secretary of War; who particularly desires that "The military officers may be required to refer the Indians, in all matters relating to their national affairs or grievances, to the Governor of the Northwestern Territory and the Governor of the Mississippi Territory, or the temporary Indian Agent nearest to their post, as the case may require; and that the commandants of the posts in the Mississippi Territory may be in-

structed to furnish on the order of Governor Sergeant, when the same can be spared, such rations for the Indians who may visit the said posts, as he may from time to time direct."

This letter being addressed to you as the temporary commander in the presumed absence of General Wilkinson, you will act on it accordingly; recollecting that your attention is to extend to all the troops and posts from Pittsburgh westward, to the Mississippi, on the lakes and Tennessee; in short, to all which constitute the western army and its dependencies.

But in saying this, as a guide to you, it is not my intention to contravene any arrangements of command which General Wilkinson may have made previous to his departure.

CIRCULAR.

NEW-YORK, May 23d, 1799.

SIR:

It is important to the service in every way, that vacancies which happen in the several regiments should be as speedily as possible filled. As no person can be more interested in this being done, and with a careful selection of character, than the commandants of regiments, it is desirable that they should, from time to time, propose to the general under whose command they may be, candidates for filling those vacancies, in order that they may be by him offered to the consideration of the Executive.

In doing this, however, it must be recollected, that there is no part of his functions in which it is upon principle more essential, that the Executive should be perfectly free from extrinsic influence of every kind than that of the choice of officers. Hence it is proper that no expectation should be entertained that the characters presented for consideration will be preferred, that no encouragement should be given to them which may occasion embarrassment or chagrin in case of their not being adopted, and that no inferences painful to the person recommending

should be drawn from the failure of the recommendation. This failure will doubtless often happen. Information of more eligible candidates will frequently come through other channels. Collateral considerations will in no small number of instances occur, which, between candidates of equal pretensions, will naturally lead to a preference of persons who may have been presented through other channels.

In a word, the recommendation of the commandant is only to be considered as *one mode* in which information of fit characters may be conveyed to the Executive.

It occasionally happens that experience leads to alterations in the sub-districts or their rendezvouses. It is expected that whenever this happens, the commandant within whose circle it occurs, will give notice of the change to the contractor of his circle, in order that provision may be made for the requisite supply.

It is understood that some misapprehension has existed among some recruiting officers about the articles which the contractors and their agents are to supply.

It will be proper to signify to them that these are only to embrace *provisions*, quarters, fuel, straw, and, where there is no surgeon, medical aid and supply.

HAMILTON TO M'HENRY.

NEW-YORK, May 23, 1799.

* * * * * Embarrassment being likely to grow out of the question about the sales of the Indians to the individuals alluded to, will it not be expedient for the public to hold a treaty with them, and make the acquisition of the lands to the use of the United States? A small compensation to the Indians will satisfy all their scruples, and the United States will be enabled to control the intrusions of the irregular purchasers. Otherwise it is probable settlements will grow up under their titles hostile

to government, because originally in disobedience to law. It may also be a question whether, if by the effect of their purchase the acquisition can be made by the United States on easier terms, it may not be advisable to extinguish their pretensions by the grant of a portion of their lands. This probably may be accomplished without difficulty. Temporising measures on a distant frontier are often proper for a government which does not choose to keep on foot a considerable force, effectually to awe sedition and hostility.

HAMILTON TO COL. STEVENS.

New-York, May 24, 1799.

SIR:

I understand from the Secretary of War, that in the capacity of agent for the War Department I am to look to you for the duties usually performed by the quartermaster-general and commissary of military stores. I shall look to you accordingly for these services, and therefore shall direct all returns relating to the proper objects to be made to you, in the expectation that you will attend to the procuring and forwarding of such as are required with propriety. With this view you will open a correspondence with the proper officers at the seat of government. The present system is that Tench Francis, Esq., as purveyor of supplies, procures all articles in the several branches of supply, which are placed by him in the disposition of Samuel Hodgdon, Esq., as superintendent of military stores, who is to oversee all the issues of those articles. I believe the quartermaster-general is to take his station at the seat of government, and is to be the auxiliary of those officers.

It is expected that the great mass of supplies will be procured and furnished by the immediate agency of the officers above mentioned, and that you will only be incidentally called upon to provide. But you will have to make application for the supplies which will be wanted at the different stations and posts of the

army, and to see that they are punctually and expeditiously furnished by those whose province it is to do so. For this purpose you will forward to them the returns which you shall receive, first taking such abstracts from them as will enable you to judge how far they have been complied with. This points out the general line of the service expected from you. Explanations, as occasions occur, will be made for your more particular information.

I shall count fully upon your diligence and zeal, and if not in the first instance, at least eventually, I shall confide that a compensation adequate to what shall appear to be the extent of your trouble and responsibility will be made.

HAMILTON TO M'HENRY.

NEW-YORK, May 25, 1799.

SIR:

I recur to two of your letters of the 9th and 10th instant. The reflections in the first respecting the enlistment of foreigners entirely accord with my impressions, as you have heretofore seen. I adhere to the opinion, that none but natives or naturalized citizens ought to be engaged. Of the latter, residence in this country anterior to our Revolution, to be proved to the satisfaction of the recruiting officer, or a certificate of the naturalization, ought to be the criterion, and none ought to be enlisted who have not resided in the county where they shall be enlisted at least one year immediately preceding the enlistment.

It is true that contraventions of the rule, by imposition upon, or connivance of the recruiting officers, will in some instances happen. But they will not be so numerous as to prevent the object being essentially attained.

The idea is held out in your letter of *postponing* the enlistment of foreigners until after a district should be exhausted of natives willing to enlist. I should doubt the expediency of a

distinction which is not permanent. The preference might create disgust and perhaps an injurious collision.

I shall be glad to know speedily the result of your further consideration of the subject.

P. S. In a scene so near the seat of government as that in which the late insurrection has existed, and so perfectly within its command, the policy of stationing, for any length of time, a small body of foot soldiers, with the manifest intention to awe the spirit of insurrection, appears to me questionable. Were I at liberty to pursue my own inclination, I should now order the troops to their destinations to which they have been assigned.

Under this impression, I inclose an order for Capt. Henry's company to proceed to Powles Hook, on his way to his ultimate destination in the eastern quarter. If you approve, you will please to forward it. Capt. Freeman's company at West Point, which is to form part of the battalion for the field, is ordered to New-York, whence, if you think proper, it can march to replace Capt. Henry's company.

HAMILTON TO M'PHERSON.

NEW-YORK, May 26th, 1799.

DEAR SIR:

The Secretary of War has instructed me to digest and propose a plan for the organization and arrangement of the volunteer corps throughout the United States. As this subject has particularly occupied your attention, I shall be glad to be assisted with your ideas at large concerning it.

You will be sensible that it is necessary to order, that every part of our military system should, as nearly as may be, correspond, and that consequently the establishment of the army ought to form the base of every plan; yet so as to have due regard to any peculiarities which ought to discriminate corps of a distinct and particular nature.

HAMILTON TO M^CHENRY.

NEW-YORK, May 27th, 1799.

SIR:

The returns from every quarter show that desertion prevails to a ruinous extent. For this the natural remedies are: 1st, greater attention to discipline; 2d, additional care in furnishing the supplies due to the soldiery, of such quality and with such exactness as will leave no real cause of dissatisfaction; 3d, the forbearance to enlist foreigners; and lastly, energy in the punishment of offenders.

To promote the first will be my peculiar care. The second, I doubt not, will have from you all the attention due to a matter of primary importance. The third I hope soon to receive your instruction to put in execution. As to the fourth, I must entreat that you will make such a representation to the President as will convince him of the absolute necessity, where his agency must intervene, of giving effect to the sentences of the courts His determination upon one some time since reported to you has not yet been received, and I expect it with great solicitude; there cannot occur a more fit case for exemplary punishment. If this culprit escapes, the example of his impunity will have a most malignant aspect towards the service. I repeat it, sir, this is a point of such essential consequence, that you cannot bestow too much pains to satisfy the President that severity is indispensable. It is painful to urge a position of this kind, especially where life is concerned; but a military institution must be worse than useless, it must be pernicious, if a just severity does not uphold and enforce discipline.

M'HENRY TO HAMILTON.

WAR DEPARTMENT, 28th May, 1799.

SIR:

I have received your letter dated 25th instant. The experiment of enlisting none but native citizens or naturalized foreigners at present in our army, I am much disposed to have fully made; the criterion of the latter to be either a residence in this country anterior to the Revolution, to be proved to the satisfaction of the recruiting officer, or a certificate of naturalization.

You will, therefore, be pleased to cause an explanatory article upon this subject to be duly promulgated to the recruiting officers.

My own impressions would have inclined me to maintain a regular force in the country late the scene of insurrection, for some time to come, had it been compatible with the public service in other respects; but it is exclusively confided to your judgment to continue or remove the whole or any part of the regular force now stationed in that country.

I shall forward your letter to the commanding officer at Reading, directing him to order Capt. Cochrane to march his company to Fort Mifflin.

HAMILTON TO CAPTAIN ELLERY.

NEW-YORK, May 29th, 1799.

SIR:

You having been appointed assistant to the Adjutant-General, and he being at this time absent, I think it proper to indicate to you a general outline of the duties which you are to perform.

The duties of Adjutant-General, who unites the capacity of Deputy Inspector-General, are various and extensive. In the two characters he may be regarded as the assistant of the com-

mander of the army and of the Inspector-General in whatever relates to the *police* and tactics of the army.

He is to receive from the commanding general, and issue to the army, the general orders, for which purpose he is to attend the commanding general daily. He is to regulate the detail of officers and men for guards, fatigue service, commands, &c., and to see that they are regularly furnished. All returns of the troops, including those relating to the inspectorship, and, when the Paymaster-General or his deputy is not at head-quarters, the muster and pay rolls, are to be made to him. From the returns of the troops which he receives he is from time to time to make out abstracts for the commander of the army and the Secretary of War.

For the present, a monthly return for each will suffice. The returns relating to the inspectorship are to be handed over to the Inspector-General, with such remarks as may occur from an examination of them.

The muster and pay rolls must be transmitted to the accountant of the Department of War, unless when the Paymaster-General shall be at the seat of the government, in which case they must be sent to him.

Practice will point out better than a letter can define the modes of executing the duties of the office.

To understand them perfectly, it is essential to be well acquainted with the "Regulations for the Order and Discipline of the Army," established under the auspices of the Baron de Steuben during our Revolution war, "The Articles of War," and the "Rules and Regulations respecting the Recruiting Service."

WASHINGTON TO HAMILTON.

(PRIVATE.)

MOUNT VERNON, June 6, 1799.

DEAR SIR:

I have duly received your letter of the 3d of May, and am glad to find that the recruiting service is likely to progress without further delay. To facilitate this, nothing will contribute more than clothing.

It is certainly necessary to push on this business with proper energy, and be provided with an ample and timely supply of every article wanted, if it is expected that such troops as we have, should be in any degree respectable. This, I trust, will be done. And I should hope, ere this, that the field officers for the regiment to be raised in New Hampshire, &c., have been appointed.

It is very desirable that the selection of characters to officer the regiments, eventually to be raised, should be such as will do credit to the service, if they should be called into the field. The Secretary of War has requested me to furnish him with a list of names for the quota from Virginia, which I am taking measures to do; but owing to my long absence from this State, I have so little personal knowledge of characters, that I must rely very much on the information of others in whom I can confide.

With very sincere regard, I am, dear sir,

You affectionate humble servant, &c.

HAMILTON TO HAMTRANCK.

(PRIVATE.)

NEW-YORK, June 6th, 1799.

DEAR SIR:

I duly received your private letters of the and the 25th of January last, to which a very extraordinary pressure of busi-

ness has prevented a reply. Such of your remarks as are personal to me are very gratifying.

I hope your expectations will not finally be disappointed, though it will require time before a complete organization of what is now a very disjointed mass, will enable me to establish a perfect order. Zeal, at least, my friends know will not be wanting.

The request you make with respect to yourself, though unusual, is very natural, considering past experience. It will not fail to influence my advice, unless I perceive that *your feelings* and your interest as a soldier can be mutually consulted.

Communicate to me freely and confidentially on the subject of western affairs, you are sure of my discretion and honor.

HAMILTON TO WASHINGTON.

NEW-YORK, June 7th, 1799.

DEAR SIR:

I did myself the honor to write to you at some length on the 3d of May, I hope the letter got safe to hand.

The recruiting service is now in motion in Maryland, Delaware, Pennsylvania, New Jersey, New-York, Connecticut, and Massachusetts; I might, perhaps, add Virginia, from the assurances which I have received as to the transmission of supplies, but I am not as yet informed of its actual commencement in that State. This cannot be much longer delayed.

The field officers for the regiment, which embraces New Hampshire, Vermont and Rhode Island, have been lately appointed. They are Rufus Graves, lieutenant-colonel; Timothy Tarling and Cornelius Lynde, majors. The moment money and clothing shall arrive the recruiting will begin there and in North Carolina. But I do not view this as *very* near.

I do not understand that the officers for South Carolina and Georgia have yet been recommended.

The information I receive as to the progress and prosperity of the recruiting service, is sufficiently encouraging. Colonel Taylor, commandant of the regiment raising in Connecticut, assures me that he is persuaded, if no obstacle arises from supplies, that in two months his regiment will be filled by native Americans. From other quarters the intelligence is very well. I permit myself to hope that in the summer and fall the army will be at its complement.

I send you a copy of the arrangement which has been made of the two regiments of artillerists; measures are taking to carry it into execution;—the distribution of the officers of the western army is referred to Colonel Burbeck.

There is nothing further in the military line worthy of your attention to communicate. When I shall have obtained more assistance I shall write more frequently.

A letter from *Mr. King* contains this unpleasant intelligence. The publication of the treaty of *Campo-Formio* by the Directory, will injure the affairs of the emperor. It will increase the jealousy of the king of Prussia and of the emperor, whose safety and interests were too little in view in that treaty. There is no end to the folly of the potentates who are arrayed against France. We impatiently expect further accounts of the operations of the archduke, and entertain a strong hope that his genius and energy will turn to good account the advantage he has gained.

Most respectfully and affectionately I have the honor to be, &c.

HAMILTON TO ADLUM.

New-York, June 8th, 1799.

Sir:

It is conceived to be expedient for some time to come, to keep a body of troops in and near that district of country in which the late insurrection existed. For this service, it is intended for the present to continue the troops now at Reading,

viz.: two companies of artillerists (Elliot's and Irvin's); a company of infantry (Shoemaker's), and a detachment of infantry under Lieutenant Boote. General McPherson recommended the occupying of three stations, *Reading*, *Allentown*, and *Easton*. If the corps of troops was more considerable, I should entirely approve this idea. But to render them at all impressive, there must not be too few at one point. I have thought that a company at Easton, and the remainder at Reading, might be the best disposition.

It is my desire that you assume the command of the whole body, as above described, and that you make such a disposition of it in reference to those points, as information on the spot shall induce you to prefer. This command need not interfere with the duties to which you have been assigned, in regard to the recruiting service. You must so manage as to reconcile the two objects with each other.

HAMILTON TO MAJOR HOOPS.

New-York, June 10th, 1799.

Sir:

You will cause McGregor to be furnished with the requisite certificates, from the captain of his company, and the acting surgeon, in order to an application to me for a discharge. The service is best rid of such men.

I am desirous of seeing in practice the French manual of the artillery, in order to a comparison of it with our own. The necessary apparatus, if not in the garrison, will be provided by Colonel Stevens, on your application, showing him this paragraph of my letter.

If you have not in the garrison some field-pieces, you will obtain four from Colonel Stevens, in order to the exercise of the men; if he has none belonging to the United States, you will, in my name, request a loan out of those belonging to the State.

I requested that Captain Read, lately from West Point,

might be directed to call upon me. As he has not called, I presume my note to you must have miscarried. I request that he may be informed of my desire to see him.

HAMILTON TO ————.

NEW-YORK, June 12th, 1799.

It will be with great regret that I shall at any time see in the conduct of an officer intentional negligence or disrespect. I am the less disposed to suppose either in the present case, because it is impossible to imagine a motive. Yet I owe it to propriety to remark, that your continued silence has been ill-judged.

The obstacles which you mention to the making of the returns, did not render it impracticable to acknowledge the receipt of my letters, and to inform me of the causes of delay, and of what was intended, which certainly ought to have been done.

HAMILTON TO WASHINGTON.

(PRIVATE.)

NEW-YORK, June 15th, 1799.

DEAR SIR:

I wrote to you a few days since, chiefly to inform you of the progress of the measures respecting the recruiting service, and that the symptoms with regard to it were sufficiently promising. The accounts continue favorable.

I have just received a letter from General Wilkinson, dated the 13th April, in which he assures me he will set out in the ensuing month for the seat of government. The interview with him will be useful.

It strikes me forcibly, that it will be right and expedient to

advance this gentleman to the grade of major-general. He has been long steadily in service, and long a brigadier. This, in so considerable an extension of the military establishment, gives him a pretension to promotion.

I am aware, that some doubts have been entertained of him, and that his character on certain sides, gives room for doubt. Yet he is at present in the service, is a man of more than ordinary talent, of courage and enterprise—has discovered upon various occasions a good zeal—has embraced military pursuits as a profession, and will naturally find his interest, as an ambitious man, in deserving the favor of the government; while he will be apt to become disgusted, if neglected; and through disgust may be rendered really what he is now only suspected to be. Under such circumstances, it seems to me good policy to avoid all just grounds of discontent, and to make it the interest of the individual to pursue his duty.

If you should be also of this opinion, I submit to your consideration, whether it would not be advisable for you to express it in a private letter to the Secretary of War.

HAMILTON TO M'HENRY.

NEW-YORK, June 16th, 1799.

DEAR SIR:

Seeing the terrible delays which take place, is it not advisable immediately to authorize your agent at New-York and Boston, to take prompt measures for increasing your supply of clothing, tents, and such other articles as are in arrear? Considering past experience, can you possibly depend on the present plan for the future supply? If blue cloth *cannot* be found for the whole, better to take some other color by entire regiments for those which have not yet begun to recruit.

The Brest fleet is out. Its destination is in all probability Ireland; but ought we so entirely to rely upon this as to omit

to take the precaution of having some fast-sailing vessels on the look-out before our principal ports, Charleston, the entrance of the Chesapeake, the Delaware, New-York, Newport, Boston—with perhaps the establishment of signals?

It would be awkward to be entirely surprised, and to have some of our banks fall into the hands of the *Philistines*. When we think of *Egypt*, we ought not to consider the attempt as impracticable. Announcing that it is a mere act of caution without intelligence, no inconvenient alarm will be created. It may even be useful to bring home to the minds of our citizens, that our government does not deem an invasion impossible.

Colonel Stevens informs me, that some time since the United States lent to New-York a thousand stand of arms, which are exposed in a situation to be lost, and are not wanted by the State. There is no reason why their return should not be asked.

HAMILTON TO M'HENRY.

NEW-YORK, June 18, 1799.

SIR:

You will be pleased to receive herewith a statement of the articles of supply requisite for a regiment of infantry. It is necessary that the full quantity, including what has been heretofore forwarded, should be transmitted as fast as possible, with all the diligence that can be made. It is not probable that they will arrive too soon.

After the proportion which was indicated in the first instance, shall have been furnished to the several regiments of which the officers have been appointed, the additional supply had best be forwarded, first to the 10th, 11th, 12th, and 13th, regiments; next to the 8th, 9th, and 14th; then to the 7th and 15th; and lastly to the 6th and 16th.

An additional supply of bounty-money sufficient, with what has been already sent, for the raising of three-fourths of each

regiment, ought immediately to be furnished to the 10th, 11th, 12th, and 13th regiments; and it will be well to forward to the paymaster of each of these regiments, one month's pay, with the addition of the retained bounty for one-third of a regiment, exclusive of officers. If this is determined upon, I shall be glad to be advised of the determination.

P. S. The inclosed copy of a general order of the 6th instant, is conformable to your instructions by letter. You will judge whether any further or more formal sanction is requisite.

CIRCULAR TO COMMANDANT.

NEW-YORK, June 19th, 1799.

SIR:

Inclosed is the form of a monthly return which you are to make to me pursuant to the XXXVth of the "rules and regulations respecting the recruiting service. It now becomes urgent, that these returns shall be regularly made. They will govern my application to the Secretary of War for provisions of money.

You will consequently enforce punctuality in the returns which, according to these rules and regulations, must be the basis of that now prescribed. And you will be particularly attentive to procuring the regular transmission of all those documents which are to regulate the accountability for money and other supplies.

As soon as recruits shall reach the regimental rendezvous, they must be definitively mustered. This duty for the present must devolve upon you with the aid of your regimental surgeon. If none has been appointed, you must, with the co-operation of the contractors, employ a capable medical man in his stead; and it is relied upon, that this service will be executed with exemplary strictness.

The disability of rupture is found in experience to occur frequently. The surgeon must inspect without ceremony, wherever there may be latent defects. And all disqualified men, from whatever cause, must be instantly discharged, first taking from them, as far as practicable, whatever they may have obtained from the public by imposing themselves upon its service.

No money, after the arrival at the regimental rendezvous, must be paid to a soldier, till he shall have been thus carefully examined and mustered.

WASHINGTON TO HAMILTON.

MOUNT VERNON, June 19th, 1799.

DEAR SIR:

Your favor of the 7th instant, with its inclosures, has been duly received.

I am very glad to learn that the recruiting business, so far as it has been put in operation, succeeds agreeably to your wishes. It has commenced in Virginia, and I am informed that, in this vicinity, (and I have no intelligence from the more distant parts of the State,) its progress is very flattering. A supply of clothing would, however, promote this service even hereabouts; and unless it be furnished soon, I am apprehensive it will languish, if not stop entirely.

I understand, by a letter which I received a few days since from General Pinckney, that the selection of officers from North and South Carolina, and Georgia, has been transmitted to the War Office. I hope, on every account, there will be no delay in completing this arrangement.

The disposition you have made of the artillery regiments is, I have no doubt, just and proper, and calculated to promote the good of the service.

I thank you for the information from Mr. King. I have long believed that France owes the facility of her conquests more to

the jealousy and want of cordial co-operation among the powers of Europe, whose interest it is to check her desolating ravages, than to any exertions of her own, great as they may have been. It appears from every account, (although there is none so full and distinct as I could wish,) that her armies have not only been checked, but obliged to retreat. And her internal affairs do not seem to be in the best situation. Should these advantages be properly improved, I think the happiest effects may result from them.

With very sincere regard, I am, dear Sir,

Your affectionate and obedient servant,

HAMILTON TO M'HENRY.

NEW-YORK, June 21st, 1799.

SIR:

The suggestion respecting the cavalry, in your letter of the 18th instant, leads to the supposition that the actual raising of the additional troops will be postponed for a considerable time. Though I have no doubts that powerful motives will have influenced this intention, yet I cannot but regret their existence, as well because the body of cavalry provided for would promise signal utility in various ways, as because it is a corps which requires more time for instruction and preparation than the infantry.

It appears reasonable that the officers of the cavalry should render services for the emoluments they receive; but the plan of employing them out of the proper line is attended with very great difficulties. Nothing is more delicate than to contravene established prepossessions in an army, and there is none more fixed than the dislike of officers of cavalry to serve as officers of infantry, except in extraordinary and temporary emergencies.

Give me leave to offer to your consideration a middle course.

Let one troop be raised and mounted, and the non-commissioned officers of the remainder be enlisted. Let these be stationed at some eligible point, and let all the officers be collected there for instruction and exercise. In this situation, it will be more manageable, if desirable, to detach them from time to time on infantry service. The tactics of both corps can be taught them together.

Colonel Taylor is anxious for the appointment of Doctor Joseph Trowbridge as surgeon to his regiment. I repeat the wish that the officers of this description may be as speedily as possible appointed.

M'HENRY TO HAMILTON.

War Department, June 24th, 1799.

Sir:

I received this morning your letter of the 21st instant.

The remarks you have offered relative to the cavalry, are deserving of attention; and the course you propose, which combines a temporary saving with immediate employment for the officers, in a mode conformable to the Constitution, of this kind of troops, will be considered. I shall inform you of the result. I observe, however, that my present opinion is, it will be best to adopt the mode you propose.

The nomination for surgeon and mates for the 13th, or Lieutenant-Colonel Taylor's regiment, will be forwarded to the President the moment I hear from Mr. Tracy respecting a mate which he recommended, about whom he is to consult Colonel Taylor. The nomination has been postponed, waiting for the approbation of Lieutenant-Colonel Taylor for fit characters.

I requested you, the 4th of June, to name to me fit persons for surgeon and mates to the 12th regiment. I shall, as soon as I receive your nominations, forward them to the President.

WASHINGTON TO HAMILTON.

(PRIVATE.)

MOUNT VERNON, June 25th, 1799.

DEAR SIR:

Your private letter of the 15th instant came duly to hand.

So far as my information extends (which, by the by, is very limited), the recruiting service in this State progresses beyond my expectation, but is retarded very considerably from the want of clothing—the ragged appearance of the recruits having a tendency to disgust rather than to excite enlistments.

I think with you, that policy dictates the expediency of promoting Brigadier Wilkinson to the rank of Major-General, and will suggest the measure to the Secretary of War, in a private communication. It would feed his ambition, soothe his vanity, and, by arresting discontent, produce the good effect you contemplate. But in the appointment of this gentleman, regard must be had to time, circumstances, and dates; otherwise, by endeavoring to avoid Charybdis, we might run upon Scylla.

What I mean by this is, that the President might deem it expedient to take the next Major-General from the Eastern States; again, may recur to the former appointments of that grade in the provisional army; and further, if services in the revolutionary army are to be regarded, to relative rank, also, in dating the commissions of the Major-Generals yet to be appointed.

If General Wilkinson should be promoted, it would be expected, no doubt, that the oldest Lieutenant-Colonel commandant should step into his shoes as Brigadier; of course the oldest Major of the old line would succeed to the vacancy occasioned thereby. Who and what the character of these gentlemen are, I know not. The measure deserves consideration.

I am, always,

Your affectionate, &c.

HAMILTON TO M^cHENRY.

(PRIVATE.)

NEW-YORK, June 25th, 1799.

MY DEAR SIR:

I conclude from your letter by to-day's post, that your own opinion in regard to the raising of a troop of horse, is made up, and that you only delay a determination from the necessity of a reference elsewhere. This is a point that I have so much at heart, that I should be sorry any thing was risked about it. If you think there is the least danger of disappointment, I will write to the Commander-in-Chief to obtain for you the support of his ideas.

It is of very material consequence to have a troop raised, as a stock on which to ingraft a system of tactics for the cavalry. Hitherto, it may be said, we have had none. Improvements are going on in Europe. This particular *arm* is not brought to perfection even there. Opinions are somewhat unsettled. It is very desirable to have an organ by which we can essay the various plans, and upon which we can establish the model of a good system.

As to the two troops already raised, they ought to remain where they are.

Another subject:

General Wilkinson is soon expected. I am strongly inclined to see him made a Major-General. He has had now a great deal of experience; he possesses considerable military information; he has activity, courage, and talents; his pretensions to promotion, in every view, are strong. If he should become disgusted without it, it would not be extraordinary.

Half-confidence is always bad. This officer has adopted military life as a profession. What can his ambition do better than be faithful to the government, if it gives him fair play?

HAMILTON TO MATTHEW CLARKSON.

NEW-YORK, June 25, 1799.

DEAR GENERAL:

The officers of the provisional army are intended to be appointed. Those for two regiments are to be drawn from this State, and I am desired to recommend fit characters. As far as you can give me assistance in this matter you will promote the public service and oblige me.

Any old officer who may deserve attention, will do well to reflect that when this army shall be called into activity, the affairs of the country will be too serious to permit him to remain a mere spectator.

If the command of a brigade were in question, I should press you to obtain your consent to serve. As it is I can only ask your aid in the nomination of others.

HAMILTON TO M'HENRY.

June 25, 1799.

* * * * * The clothing and equipments of the army are undergoing a systematic revision. Nothing has been altered or established in regard to the apparatus or exercise of this corps (the artillerists). The practice at different posts is various. I have directed part of the troops now at Fort Jay to be instructed in the French method, to enable me to compare that with our former method, and to decide which is preferable. Present conviction is, that a separation between the engineering and artillery branches is necessary to the perfection of each.

AN ACT FOR THE BETTER ORGANIZING THE CORPS OF ARTILLERISTS AND ENGINEERS, TO BE HEREAFTER DENOMINATED "THE CORPS OF ENGINEERS AND ARTILLERISTS."

Draft by Hamilton.

1799.

1. Be it enacted, &c., that instead of the present establishment of the corps of artillerists and engineers, the same shall hereafter be composed of a regiment of engineers, a regiment of horse artillerists, and a regiment of foot artillery. That the functions of the engineers and artillerists shall be separate and distinct—those of the former relating to fortification and other military constructions, and to the attack and defence of fortified places—those of the latter to the service of artillery; provided always, that this separation shall not be understood to prevent a commanding officer from designating the officers of one corps to perform duties peculiar to the other, when special circumstances shall in his opinion require it.

2. And be it further enacted, that a regiment of engineers shall consist of two lieutenant-colonels, first and second; three majors, twelve captains, twenty-four first-lieutenants, twenty-four second-lieutenants, and twenty-four cadets, to which shall be attached four companies of miners and artificers, to be formed as hereafter mentioned.

3. And be it further enacted, that a regiment of artillerists, whether horse or foot, shall consist of four battalions, each of four companies, and of these officers and men, to wit:—one lieutenant-colonel commandant, four majors, one adjutant, one quartermaster, one paymaster, each being a lieutenant; one surgeon, and two surgeon's mates, sixteen captains, thirty-two lieutenants, besides the three above mentioned; thirty two cadets, sixty-four sergeants, sixty-four corporals, one chief musician, sixteen other musicians, and privates, but that until the organizing and raising of one battalion of each of the said regiments shall be suspended.

4. And be it further enacted, that the officers and men (except

the artificers) of the two regiments heretofore established, shall be incorporated into the regiments of artillerists to be organized pursuant to this act. That such of the officers as upon examination may be found best qualified for the corps of engineers, may be transferred to that corps, and that supernumeraries, if any there be, may, with their consent, be transferred to the infantry, in grades corresponding with those which they shall possess, or may remain attached to the regiments of artillerists, and fill, according to their respective rank, future vacancies in battalions and companies as they shall accrue.

5. And be it further enacted, that the artificers of the present regiments shall be formed into four companies—two of miners, and two of artificers; that a company of miners or artificers shall consist of a captain, one first, one second-lieutenant, four sergeants, four corporals, and fifty-six privates. That the commissioned officers of these companies shall be officers of the regiment of engineers, to be assigned by the commander of that regiment.

6. And be it further enacted, that the pay and other allowances of the regiments of engineers and artillerists, according to the establishment hereby prescribed, shall be similar to those of the regiments to which they are to be substituted.

7. And be it further enacted, that in case open war shall break out between the United States and any foreign European power, or in case imminent danger of invasion of their territory shall, in the opinion of the President, be discovered to exist, it shall be lawful for him to organize and cause to be raised two regiments of horse artillerists in addition to that provided for by this act, together with the two battalions of artillerists suspended as aforesaid—and for this purpose, if in the recess of the Senate, to appoint alone the officers thereof, and to borrow upon the credit of the United States from the Bank of the United States, or any other body or bodies politic, or persons whomsoever, a sum not exceeding dollars.

8. And be it further enacted, that the corps of engineers and artillery shall be under the command of a general.

HAMILTON TO ——— ———.

NEW-YORK, June 25th, 1799.

* * * * You will allow me, however, to remark to you with frankness, that there is in my opinion something too absolute in your manner of declining this service, and that I cannot give my sanction to the sentiment in your letter, contained in these words: "I cannot *possibly*, except in actual war, separate myself from her [your wife] and my children," &c. You have too much discernment, and too well know the principles of service, not to be sensible that it is the essential condition of military employment that, in peace as in war, an officer shall be ready to execute the trusts, relatively to his station, to which he may be designated. That the peremptory claim of an exemption from this rule cannot be advanced, whatever may be the hope of indulgence towards a very peculiar situation.

Doubtless, therefore, you will see it proper to correct the latitude and force of the expressions which you have used, as transcending your real meaning.

M'HENRY TO HAMILTON.

(PRIVATE AND CONFIDENTIAL.)

June 27th, 1799.

MY DEAR SIR:

In answer to yours (just received) of the 25th instant, it will be agreeable to me to see a troop of horse completely organized, that we may ascertain, as far as it is practicable, with so small a model, the improvements of which cavalry are yet susceptible. You may write, therefore, an official letter on the subject, proposing it, and request my final directions. I shall give them.

General W—— has certainly claims to promotion; and, so far as it respects myself, I shall not oppose it. It will be proper,

however, that General Washington be consulted before the least step be taken in the business. Your maxim is in general a good one. Half confidence is bad. Of this, however, be assured, that until the commercial pursuits of this gentleman with and expectations from Spain are annihilated, he will not deserve the confidence of government. Further, I recommend it to you, most earnestly, to avoid saying any thing to him which would induce him to imagine government had in view any hostile project, however remote, or dependent on events, against any of the possessions of Spain. I require this caution on good grounds.

HAMILTON TO M'HENRY.

NEW-YORK, June 27th, 1799.

It is a pity, my dear sir, and a reproach, that our administration have no general plan. Certainly there ought to be one formed without delay. If the chief is too desultory, his ministry ought to be the more united and steady, and well-settled in some reasonable system of measures.

Among other things, it should be agreed what precise force should be created, *naval* and *land*, and this proportioned to the state of our finances. It will be ridiculous to raise troops, and immediately after to disband them. Six ships of the line, and twenty frigates and sloops of war are desirable. More would not now be comparatively expedient. It is desirable to complete and prepare the land force which has been provided for by law. Besides eventual security against invasion, we ought certainly to look to the possession of the Floridas and Louisiana, and we ought to squint at South America.

Is it possible that the accomplishment of these objects can be attended with financial difficulty? I deny the possibility. Our revenue can be considerably reinforced. The progress of the country will quickly supply small deficiencies, and these can be temporarily satisfied by loans, provided our loans are made on

the principle that we require the aliment of European capital,—that lenders are to gain, and their gains to be facilitated, not obstructed.

If all this is not true, our situation is much worse than I had any idea of. But I have no doubt that it is easy to devise the means of execution.

And if there was every where a disposition, without prejudice and nonsense, to concert a rational plan, I would cheerfully come to Philadelphia and assist in it; nor can I doubt that success may be insured.

Break this subject to our friend Pickering. His views are sound and energetic. Try together to bring the other gentlemen to a consultation. If there is every where a proper temper, and it is wished, send for me, and I will come.

Yours truly,

A. HAMILTON.

HAMILTON TO M'HENRY.

NEW-YORK, July 2d, 1799.

SIR:

I beg leave to recall your attention to the suggestion contained in my letter of the 21st June, respecting the raising, mounting, and equipping of one of the six additional troops of horse, together with the non-commissioned officers of the other troops—and to request your final direction on the subject.

The service of the cavalry in this country has never been but imperfectly understood. Even in Europe, ideas about the formation and tactics of that species of troops appear to be less well settled than about the other branches of military service. It is, in my opinion, very important to possess the means of making an experiment of the different principles in order to the formation of a good system, adapted to the geographical circumstances of the country. For this purpose alone a small body of cavalry is indispensable.

ADAMS TO HAMILTON.

QUINCY, July 2d, 1799.

SIR:

Dr. Daniel Parker, of Norton, introduced to me by General Cobb, will have the honor to deliver you this letter. The case of his son, is a very unfortunate one, and I beg leave to introduce him to your kind offices. If the young gentleman can be discharged with propriety, I am desirous it should be done, or if he has dispositions and qualifications for any thing better than the station of a common soldier, I wish he might have it.

I am, Sir, with much respect,

Your most obedient servant,

JOHN ADAMS.

MAJOR GENERAL HAMILTON.

ADAMS TO M'HENRY.

QUINCY, July 7th, 1799.

SIR:

As it is an excellent principle for every man in public life to magnify his office and make it honorable, I admire the dexterity with which you dignify yours by representing an army and means adequate to its support as the first thing necessary to make the nation respected. Genius in a general is oftener an instrument of divine vengeance than a guardian angel.

Stoddert, I warrant you, instead of representing the navy as the fourth and last article necessary for national respectability, would have felt the importance of his office enough to have stated the navy as the first and the most indispensable.

It would not be necessary for me to decide the controversy between you; if it should be, I should be at no loss; my answer would be ready.

I have read the plan for providing and issuing of military

supplies inclosed in your favor of the 29th of June. I suppose I may keep it, in order to recur to it upon occasion. I wish to be informed whether this is proposed to be adopted by Congress into a law. I presume the President's authority alone is not adequate to the establishment of it. I wish it to be considered by the Secretary of the Treasury and by yourself, as closely as possible before it is recommended.

The discipline of the army and the national economy are deeply interested in it. The Secretary of State has had experience which ought to be consulted upon this occasion.

HAMILTON TO M'HENRY.

NEW-YORK, July 8th, 1799.

SIR:

I have considered the rules transmitted in your letter of the 2d instant relative to rank and promotion.

They appear to me founded on just principles, nor do I know that they can be improved. I will, however, present to your consideration some observations on two or three points.

It seems to me questionable whether the preference given to full colonels of the deranged officers over the lieutenant colonel commandants, who served to the end of the war, be expedient.

It is making that a matter of substance, which was purely nominal. The grade of lieutenant-colonel commandant was in our system to all intents and purposes of service and promotion equal to that of colonel. And the general principle of preferring officers who served to the end of the war seems to me as applicable to this particular as to any other.

It is desirable to exempt a military commander from the exercise of a discretion in personal matters which may expose him to the supposition of favoritism. It is possible the Commander-in-Chief may not like to be charged with that which is proposed to be conferred upon him; though he could have no

objection to aid the determination of the President with all requisite information. Perhaps the clause may with advantage be altered to stand thus:—"The relative rank of officers who have not been in service will be determined by the President. The Commander-in-Chief will report to him their names with such information as he may deem proper."

The last clause will, I think, be more accurate, if altered into this form:—"On the happening of a vacancy, the officer next in rank will in ordinary cases be considered as the most proper person to fill the same. But this rule is considered as subject to exceptions in extraordinary cases."

It will be useful, also, in my opinion, to add a clause to this effect:—In promotions to the several ranks of generals, the officers of cavalry, artillery, and infantry, will be considered as eligible indiscriminately, or without distinction of one corps for another.

To confine the officers of artillery and cavalry to their particular corps in the appointments of general officers, is to render the chance of promotion unequal, aand to discourage in the several classes of officers the study of all the branches of tactics. The contrary principle will have a contrary effect; and though it is rarely to be expected that an officer of cavalry or infantry will be competent to the service of the artillery, yet nothing is more easy than for the officers of those corps to be acquainted with the tactics of each, and an officer of artillery can without difficulty make himself master of the tactics of the cavalry and infantry. The plan of an indiscriminate choice will also increase the chances of having qualified generals.

And if the idea itself be approved, it is expedient to prepare the army to expect its application by engrafting it in the system of promotion.

ADAMS TO M'HENRY.

QUINCY, July 19, 1799.

SIR:

I agree with you in your opinion expressed in your favor of the 12th, that both an army and navy establishment is essential to the present and future interests and greatness of the United States; and that we must run the risks which other nations have run.

It appeared to me that officers were created and soldiers made necessary in the plan for supplying the army, which would require the interposition of Congress; but if the powers already given to administration are sufficient, I am satisfied. I wish only that the heads of departments may be satisfied, and that no embarrassments may be brought upon them which they are not previously apprised of.

ADAMS TO M'HENRY.

QUINCY, July 27, 1799.

SIR:

I have received your favor of the 20th, and no objection to the plan you propose of raising a company of cavalry. "Our means!" I never think of our means without shuddering; all the declamations as well as demonstrations of Trenchard and Gordon, Bolingbroke, Bernard and Walpole, Hume, Burgh and Burke, rush upon my memory and frighten me out of my wits. The system of debts and taxes is levelling all government in Europe. We have a career to run, to be sure, and some time to pass before we arrive at the European crisis; but we must ultimately go the same way. There is no practicable or imaginable expedient to escape it, that I can conceive.

HAMILTON TO SECRETARY AT WAR.

NEW-YORK, July 29th, 1799.

SIR:

I have the honor to acknowledge the receipt of your letter of the 25th instant, inclosing a warrant for the execution of Sergeant Hunt.

I have reflected carefully on the point submitted to our joint consideration, and, upon the whole, I incline to the side of forbearance.

The temper of our country is not a little opposed to the frequency of capital punishment. Public opinion, in this respect, though it must not have too much influence, is not wholly to be disregarded. There must be some caution not to render our military system odious by giving it the appearance of being sanguinary.

Considering, too, the extreme lenity in time past, there may be danger of shocking even the opinion of the army by too violent a change. The idea of cruelty inspires disgust, and ultimately is not much more favorable to authority than the excess of lenity.

Neither is it clear that one example, so quickly following upon the heels of another, in the same corps, will materially increase the impression intended to be made, or answer any valuable purpose.

If, for any or all of these reasons, the utility of the measure be doubtful, in favor of life it ought to be forborne. It is the true policy of the government to maintain an attitude which shall express a reluctance to strike, united with a determination to do it whenever it shall be essential.

It is but too certain that it will not be long before other instances will occur in which the same punishment will be decreed for the same offence. To disseminate the examples of executions so far as they shall be indispensable, will serve to render them more efficacious.

Under these impressions, if I hear nothing to the contrary

from you by the return of the post, I shall issue an order to the following effect: "That, though the President has fully approved the sentence of Sergeant Hunt, and, from the heinous nature of his conduct, considers him as a very fit subject for punishment; yet, being unwilling to multiply examples of severity, however just, beyond what experience may show to be indispensable, and hoping that the good faith and patriotism of the soldiery will spare him the painful necessity of frequently resorting to them, he has thought fit to authorize a remission of the punishment; directing, nevertheless, that Sergeant Hunt be degraded from his station."

I request to be speedily instructed.

HAMILTON TO STODDERT.

NEW-YORK, July 29th, 1799.

DEAR SIR:

A press of various business has delayed a reply to your favor of the 19th instant.

The principle you suggest for my consideration, though, if it could be introduced, it would work well, cannot, in my opinion, be put into practice. It would contravene too much pretensions rooted as well in the human heart as in unconquerable prejudices of the military state; by which expressions I include the naval department. Carrying in the very fact an avowed preference, humiliating to the pride of the superior officer, and reversing the order of antecedent relations, a cheerful submission could never be obtained.

The alternative you mention is the proper expedient, and a very necessary one it is. It will be happy if Congress can be induced to adopt it.

With very great esteem, I have the honor, &c.,

TO SECRETARY OF NAVY.

HAMILTON TO JAY.

NEW-YORK, July 29th, 1799.

MY DEAR SIR:

The completion of the works in the vicinity of our city proceeds heavily. Some embarrassment is understood to arise in the War Department from the question of appropriations. I beg to be informed whether the sum appropriated by the legislature of this State will come in aid of the operation. Limited as that sum is, nothing upon a large scale can be undertaken in reference to it. Its agency in fortifications on the islands, at Powles Hook, and on the projection from Long Island opposite Governor's Island (I forget at this moment its name), is the only one which can be useful.

With great respect and esteem, &c.

HAMILTON TO GENERAL STEVENS.

NEW-YORK, July 29th, 1799.

SIR:

Inclosed is a plan for the uniforms, &c., of the army, prepared at my request by Colonel Smith, with the aid of Colonel Fish and Captain Armstrong. I am desirous of seeing some models of clothing made agreeably to this plan, beginning with those of the privates. It is my wish that the models may be framed, as well with a view to the quality of the materials, as to the fashions and ornaments of the clothing. The sooner they can be prepared the better.

But, to be more certain that we meet the ideas of the framers of the plan, you will be pleased to have recourse to the assistance of Captain Armstrong, who has been very obliging on the occasion, and who, I doubt not, will with pleasure lend his further aid.

HAMILTON TO M'HENRY.

NEW-YORK, July 30th, 1799.

SIR:

On a subject not very familiar to my experience, I thought it well to consult others (one at a distance), which has occasioned a delay in fulfilling the object of your letter of the 24th of June, respecting regulations for issuing straw, fuel, &c.

I send you, herewith, the result of my inquiries and reflections. In regard to fuel, the late improvements in the construction of chimneys, by Count Rumford, which may be adopted in quarters and garrisons, has had influence in diminishing the quantity, which, independent of this circumstance, is conceived to be too liberal in your plan. This being, in the view of economy, a matter of great importance, I would advise that an abstract be made of those chapters of Count Rumford's treatise which are applicable to chimneys, in order that a printed copy be furnished to each commanding officer of a garrison, &c. Mr. Jonathan Williams would execute this in an eligible manner. The more *simple* and *concise* the abstract the better.

The scheme of regulation now submitted, contemplates, likewise, that the officers will be arranged in messes of six to a mess.

Give me leave to ask whether, in the future construction of barracks, it will not be expedient to have the rooms large enough to contain each twelve men. It has been found that messes of this number conduce to the comfort of the troops, preventing waste, and consequently rendering the supply more ample. The effect of the arrangement in relation to fuel, is very obvious.

In the field, it is usual for the troops to provide themselves with fuel; and straw is furnished as it can be had. The regulations are therefore confined to troops in garrisons and quarters.

Regulations to be observed in the delivery and distribution of fuel, straw, and stationery to the army, and respecting horses furnished to officers, and respecting those which they may keep themselves.

Fuel (when in garrison and quarters).

From the 1st day of October to the 1st day of April in every year, is allowed:

1st. To every colonel and major, one cord and one half cord of wood per month.

2d. To every commanding officer of a garrison, one cord and one half cord of wood per month. This to include his allowance otherwise.

4th. To every other commissioned officer half a cord of wood per month, the same to each surgeon or surgeon's mate.

7th. To every eight non-commissioned officers, musicians and privates, half a cord of wood per month, and the same allowance to servants, *batmen* not soldiers, and washerwomen.

8th. To officers, surgeons, surgeons' mates, soldiers, servants, *batmen* not soldiers, and washerwomen, one third the aforesaid allowance from the 1st day of April to the 1st day of October in every year.

9th. To a garrison barrack guard such quantity as may be required by the commandant of a garrison, not exceeding two cords per month.

10th. To the sick in hospital such quantity as may be required by the surgeon, with the sanction of the commanding officer.

11th. As a smaller quantity of fuel may suffice in the southern States than is allowed by these regulations, each commanding general or other chief commanding officer, is enjoined to regulate the demand for this article by the nature of the climate. The regulation to be prescribed in public orders.

Straw.

1st. One truss of straw weighing twenty-four pounds, is allowed for each palliass for two men; this allowance to be renewed monthly.

2d. The same quantity of straw is allowed for servants and *batmen*, not soldiers, and for washerwomen attached to each company, in the proportion of one washerwoman to every seventeen non-commissioned officers and privates.

3d. The straw is to be changed for the sick in the hospital, as often as may be deemed necessary, this necessity to be determined by the surgeon, or the surgeon's mate in the absence of the surgeon.

Requisitions for Fuel or Straw.

1st. Requisitions for wood or straw must state in the form of returns th number and rank of the officers, the number of non-commissioned officers and pr vates, servants, batmen not soldiers, and of washerwomen, for whom demande showing in a column the quantity for each class, which returns must be certifi

by the quartermaster of the regiment, if present, or person acting as such, and by the commanding officer of the regiment, corps, or detachment, for which the supply is required. In the case of the sick in hospital, the chief medical officer having charge of it will sign the return, which will be countersigned by the commanding officer.

2d. No wood or straw shall be drawn for officers or soldiers whilst on furlough, nor any allowance made to them for the same.

3d. Whenever it shall appear that more wood or straw has been drawn than there were officers, soldiers, servants, batmen not soldiers, and washerwomen actually present and entitled thereto, the officer making such requisition shall be held responsible for the value of the articles drawn beyond the quantity allowed by these regulations, and shall have his name, and the circumstances of the case, reported to the Commander-in-Chief, or the Commanding General of the Department.

4th. Requisitions thus signed, and the receipts given by the officers to whom the articles are delivered for consumption, shall be produced as vouchers by the contractor, agent, or quartermaster, in the settlement of his accounts.

Stationery.

1st. To each company is allowed one quire of paper per month.

2d. To each regimental adjutant, one quire per month.

3d. To each regimental paymaster, one quire per month.

4th. To each regimental quartermaster, one quire per month.

5th. To the Commander-in-Chief and General officers, as occasion may require.

6th. To the surgeon of a regiment, two quires of paper per month.

7th. To each regimental surgeon's mate, one quire of paper per month.

8th. To the hospitals, according to their respective wants, to be drawn for by the surgeon-general or surgeon of each hospital.

9th. To courts martial and of inquiry, what shall be required, on the return of the Judge Advocate or Recorder, and signed by the President.

10th. Requisitions for company and orderly books, forms of returns, &c., for the use of the regiments or garrisons, to be signed by the quartermasters of regiments or garrisons, and countersigned by the commandants of the respective regiments or garrisons.

Horses.

If horses shall at any time be furnished by the Quartermaster-General or any of his deputies, upon the requisition of the Commanding-General or officers having the authority to make the requisition, or otherwise to any officer for his particular use, or to enable him to execute his functions, except for some temporary service, the value of the said horse shall be determined or agreed upon at the time of the delivery, and shall be deducted from the pay of the officer receiving

him; and the Quartermaster-General is hereby directed to make report to the accountant forthwith, that the proper deduction of pay may be made. Officers shall not keep or be furnished with forage for more than the following number of horses. If entitled to more forage, the difference shall be paid for.

A Major-General, not commanding a separate army, four.

A Brigadier not commanding as above, three.

Each Aid of a general officer, two.

A Secretary, when one is allowed by law, two.

Each Field-officer, two. Adjutant, one. Regimental Quartermaster, one. Regimental Paymaster, one. Surgeon or mate, one.

The Inspector-General, five.

A Deputy Inspector-General, with a separate army, four.

A Division Inspector, two.

A Brigade Inspector, one.

The Quartmaster-General, six.

Deputy Quartermaster-General, with a separate army, four.

A Division Quartermaster, two.

A Brigade Quartermaster, one.

Wagonmaster-General, three.

A principal Deputy, with a separate army, two.

Commissary General, or other equivalent officer, three.

A principal Deputy, with separate army, three.

A Division or Brigade Commissary, one.

A Division or Brigade Wagonmaster, one.

The Adjutant-General, four.

An Assistant, two.

Paymaster-General, or Deputy Paymaster-General, with a separate army, two.

Each Chief of any branch of the Civil Staff, not enumerated with an army, two.

Each principal Deputy of such Chief, one.

To any other officer of the General Staff, civil or military, who, in the opinion of the Commanding General may require it, not exceeding two.

HAMILTON TO COLONEL SMITH.

(CIRCULAR.)

NEW-YORK, August 9th, 1799.

SIR:

Our political situation renders it very urgent that not a moment shall be lost in disciplining our troops ss fast as they shall

be raised. To this end, it is essential that every officer shall personally exert himself to the utmost; and that a very faulty practice which has occasionally prevailed in our armies, as well as others, shall be carefully avoided, namely, commanders of regiments leaving too much to their majors, these to the adjutants, and the company officers to their sergeants.

It is expected that each commandant of a regiment will himself industriously exercise his regiment in the manual and evolutions; that each major will do the like in his battalion, and the company officers in their several companies. These last must charge themselves with the detail of instructing their men from the beginning; using their non-commissioned officers as auxiliaries, not as their representatives or substitutes; and the field officers must carefully superintend the company officers in relation to this detail.

This course will have the double advantage of insuring the rapid improvement of the soldiers, and of giving every officer practical expertness within his sphere, without which an army is nothing but a mass of disorderly elements.

In the reply which I expect to make to the several corps, I hope for the gratification of observing, in the proficiency of officers and men, that the instruction contained in this letter has been carefully and zealously executed.

HAMILTON TO WOLCOTT.

NEW-YORK, August 10, 1799.

I imagine, my dear sir, by the letter which the post of yesterday brought me from you, that you had supposed that something, not quite satisfactory to me, had occurred, in relation to the erection of a hospital at Rhode Island. This, I assure you, has not been the case, nor has any thing come under my view which could lead me to think that there has been cause for blame in any quarter.

It happened that the Secretary of War, in requiring my agency in the matter, does not give me a simple direction to act, which would be warrant enough for me, but refers me to the law respecting the medical establishment, as the source of my authority. There I find none to use, to purchase ground in fee simple, and erect upon it a building for a hospital. For that, the power of the physician-general, with approbation of the President, is alone competent by the act.

I see not, however, if there be a fund, (whether in the appropriations for contingencies or otherwise,) why there may not be a building on any ground now of the United States, to be used either as barracks or as a hospital, and certainly not why a temporary provision, by hiring of ground and buildings for the purpose, may not be made, either by the War or Navy Department.

As to the union of hospitals for navy and army under one system of direction, so far as they are to be supported by the funds of the government alone, I perceive no objection to the law respecting the medical establishment, while I discover no inconvenience. I am clear the union will conduce to economy.

Adieu, my dear sir; yours truly.

HAMILTON TO M'HENRY.

NEW-YORK, August 13, 1799.

DEAR SIR:

Every day must prove more and more to every body that it is impossible to serve two masters. I cannot be a general and a practiser of the law at the same time, without doing injustice to the government and myself. Hence I am anxious to disentangle myself more completely than I have yet done from forensic pursuits. But to be able to do this, I must call to my succor all the emoluments which I have a right to claim. Hitherto I have had neither quarters, nor fuel, nor servants. The two last I shall take measures for myself. But the former I have some scruples

about, and wish an instruction concerning it from you, which may be addressed as well to General Pinckney as to myself. On this article, too, I have no doubt of my right to order the person acting as quartermaster, to provide quarters for me and my suite. Every commanding general has this right, and situated as I am, in a time of no active operations, with the force under my command dispersed to various points, I have no doubt that the strictest propriety accords with my personal station being where it is, and that in this station it is in every view fit that I should have provided at public expense for myself and suite, a house as quarters suited to my rank and command. The procuring of a better one than I now occupy would be strictly justifiable; but it is not my wish to do it.

How do you construe the 4th section of the act of March 3d, 1797, respecting double rations, in reference to the officers appointed under the act for augmenting the army?

This question has, in cases foreign to the spirit of the provision, come up from some of the officers of the twelve additional regiments; and it will probably soon come up in others. It is important to the two major-generals, as well as others; and it ought to apply to them. Yet the law must not be strained, but future provision made where the existing one is deficient.

You must not think me rapacious. I have not changed my character. But my situation as commanding general exposes me to much additional expense in entertaining officers occasionally in the city of New-York, and citizens and foreigners who come to pay their respects to the commanding general; and adding this consideration to the circumstance of a wife and six children, whose maintenance and education are to be taken care of, I shall stand in need of all I can fairly get from the public, if I am essentially to renounce my profession.

Adieu.

HAMILTON TO M'HENRY.

NEW-YORK, August 18, 1799.

SIR:

It is now time to take measures for the establishment of the additional regiments in winter quarters.

It has been already determined to dispose of them in four bodies, and the positions generally have been designated. These positions will, of course, be adhered to, unless alterations shall become expedient from considerations relative to the comparative prices of rations at different places. It is necessary speedily to understand whether any deviations will result from this source, which has been heretofore a subject of correspondence between us.

As to mode, I incline to that of huts. Every thing in our military establishment is too unsettled to justify the expense of permanent barracks, and the hiring of quarters in towns will be adverse to the health and discipline of the troops, and may lead to disorders, unfriendly to harmony between the citizens and the soldiery.

The experience of last war has proved that troops cannot be more comfortable in any way than in huts; and these they can build themselves. Perhaps as these in question are quite raw, it may be expedient where they do not happen to have carpenters among themselves, to indulge each regiment with the aid of a few to be procured on hire, who may direct the mode of construction, and lend a helping hand to the huts of the officers. The ground will be to be hired. The material for building must be found upon each spot. If you approve, and as soon as I shall receive from you the information which is to guide as to prices of rations, I will give directions to the respective contractors to procure the ground, with the co-operation, where it can be conveniently had, of the agent for the War Department, and of the commandant of a regiment nearest to the intended site.

Any suggestions which you shall think fit to make with regard to the detail, will receive careful attention.

Applications have been made to me to authorize the providing of a wagon and four horses for the use of each regiment. It is suggested that for the transportation of fuel and straw and for a variety of current services, many difficulties attend the continual dependence on the contractor, which would be obviated by a wagon attached to the regiment. I am of opinion that the measure is right, and would direct it to be put in execution, but that it is my rule to enter into no new arrangement involving expense without previous recourse to you, where there is no pressure of circumstances to require immediate decision.

HAMILTON TO M'HENRY.

NEW-YORK, August 19th, 1799.

DEAR SIR:

I return you the papers of Mr. Williams, which you sent me at his desire for perusal. The explanation and your final opinion of the affair have given me pleasure, as I should be sorry that any circumstance of improper conduct should have stood in the way of the employment of Mr. Williams.

I regret extremely that obstacles should exist to the requiring of the resignation of Mr. ———. You are apprised of the good opinion I entertain of the probity of this gentleman, and of his talents for business within a sphere of action which will admit of an immediate personal attention to every thing which is to be done. But you are no less apprised of my perfect conviction of his incompetency, at his present time of life, to exercise an office which embraces extensive and complicated objects; in which system and arrangement and various combinations are necessary. It is a satire upon our government that he cannot for whatever cause be removed. The number of powerful connections, which he has, is, I trust not, the obstacle. If it has any weight, I think it may be relied upon that the most influential of them would, from conviction, acquiesce in the propriety of the measure.

But if he must remain, certainly there ought to be no ceremony about giving him good assistance whether of his own choice or not. In this it is most regular that the two departments concur. But if they cannot, as Secretary of War I should not hesitate to insist, that he should employ such organs as I deemed requisite for executing well the business of my department.

You observe, that no present inconvenience attends the suspension of such a measure. Believe me the service every where is suffering for the want of proper organization. It is one thing for business to drag on,—another for it to go on well. The business of supply in all its branches (except as to provisions), proceeds heavily, and without order or punctuality,—in a manner equally ill adapted to economy on a large scale, as to efficiency and the contentment of the army. It is painful to observe how disjointed and piecemeal a business it is:—among other evils is this, that the head of the War Department and the chief of the several divisions of the army exhaust their time in details, which beyond a general superintendence are foreign to them, and plans for giving perfection to our military system are unavoidably neglected.

Let me repeat, my dear friend, my earnest advice, that you proceed to organize without delay the several branches of the department of supply; that is, to fix the places and appoint the agents. You will experience great relief and many advantages from it. The saving from better management will infinitely overpay the expense of salaries. The contractors who feel little responsibility execute very carelessly every thing in which they are merely agents. The increase of numbers will make this a very important consideration.

Supplies in general are neither duly procured nor duly forwarded, frequently not of good quality nor agreeing in kind,—and the system of accountability, excellent in theory, I venture to say, entirely fails in execution. The inevitable consequence is that there must be great waste of property. It is in vain to have good plans if there are not proper organs for execution. Every new step to be taken is attended with embarrassment for want of organization.

It is much to be regretted that Carrington was not appointed quartermaster-general according to the new arrangement, before the last session of the Senate ended, so that every thing in that branch of service might be now in complete train.

If his appointment is determined upon, will it not be well to notify the intention to him, and to prevail upon him to come to the seat of government, to the end that you may concert with him the proper arrangement. Till the Commander-in-Chief take the field his residence would very naturally be at or near the seat of government, and you would find his assistance in every view very valuable.

I have heretofore requested Mr. Hodgdon to send me from time to time a return of the supplies which he forwards. This may save you the trouble of reading applications for things which have been done. The request has not been complied with. I do not mention this by way of complaint, but for information, to induce you to give him a specific direction. Once a week such a return ought to be made to you, and a duplicate might be sent to me.

HAMILTON TO WASHINGTON.

NEW-YORK, August 21, 1799.

SIR:

I was yesterday honored with your letter of the 14th instant.

The recommendations of Captains Taylor and Blue will not fail to be considered when the situation of things is mature for the appointment of brigade inspectors.

Inclosed you will find a general abstract of the recruiting returns, which at its date were received at the office of the Adjutant-General. Other information induces me to estimate that the number now actually enlisted for *eleven* of the *twelve* additional regiments exceeds thousand. The *other* is not yet in activity.

I ought to have informed you before this that General Wilkinson had arrived at this place. I have delivered to him heads

of inquiry and conference, which embrace all the material points of consideration in our western affairs. He is busily engaged in reporting upon them; written rather than verbal communications being by him preferred. The result of our consultations will be transmitted to you for any direction which you may see fit to give.

With the truest respect and attachment, &c.

HAMILTON TO HARRISON.

NEW-YORK, Aug. 24, 1799.

SIR:

Attempts are making in different parts of the country to procure the enlargement of soldiers on writs of habeas corpus issued by and returnable before State judges. As this practice will probably involve serious consequences, it becomes necessary for me to avail myself of the information of those officers of the United States who are particularly charged with the consideration of legal questions. I wish, therefore, for your deliberate opinion, distinguishing between courts and individual judges, on the legality of this practice, and especially on the effect of a return to the writ, that the person demanded had been duly enlisted by an officer of the United States, in conformity with the laws and with his instructions. You will also be pleased to consider whether upon such a return it is necessary to produce the person who is the object of the habeas corpus. The charge for this opinion you will make against the Department of War.

HAMILTON TO M'HENRY.

August 25, 1799.

I must again press for the settlement of a rule of promotion. It is essential to fix principles and the conditions and expecta-

tions of officers as fast as possible. The army never will be organized and in order unless points are successively established as they occur to consideration, and, when established, strictly adhered to. The total defect of organization in the western army (the extent of which I did not know till very lately) has increased my solicitude for another course of things, lest we get every where into inextricable chaos. I send you an arrangement of the seventh regiment, in conformity with my idea, which I hope may be adopted.

CIRCULAR.

NEW-YORK, August 27, 1799.

SIR:

In military service it is essential that each individual should move within his proper sphere, according to a just gradation and the relations which subsist between him and others. It is a consequence of this principle that a regular chain of communication should be preserved, and that, *in all matters relating to service*, each person should address him for information or direction to his immediate superior officer, and should not step beyond him to a higher authority. This observation of course excepts the case where an individual, having received an injury from his immediate superior, is disposed to seek redress from the superior of both; but in other cases the principle ought to be rigidly observed.

It is not so in practice. I have received communications from captains of companies, which in propriety ought to have been addressed to the commandants of their regiments or of the districts within which they were stationed; and I know that communications have in some instances been made by particular officers to the Secretary of War, which ought to have been addressed to me. These things are not regular, and must be avoided. The good of the service and the dignity of every officer, from the highest to the lowest, require that they should not prevail. The officers and persons attached to the army, who are charged with

the expenditure of money and with the providing or issuing of supplies, will properly correspond with the Department of War on those subjects; but every other officer ought to address himself to his immediate chief, and the chiefs of corps or distinct commands must make their communications to me, except in the cases in which particular regulations direct otherwise.

To apply the rule. The officers must not go beyond you with their verbal or written communications; you must address yours to me, except—

1st. Returns and applications respecting ordnance, arms, accoutrements, and other military stores, clothing, articles of quartermaster's supply, hospital stores, including medicines, which for the present must be addressed to Ebenezer Stevens, Esquire, agent for the War Department in New-York (the proper officers in respect to these objects not being yet appointed).

2d. Monthly and other returns respecting the numbers and state of corps and detachments, including inspection and recruiting returns, which must be addressed to Brigadier-General North, Adjutant-General.

3d. Muster and pay-rolls to Caleb Swan, Esquire, Paymaster-General, at the seat of government.

These last had best be forwarded by the respective paymasters of regiments and detachments, where any exists.

The Paymaster-General has been advised to confine his communications to paymasters, and to such others as have received public money, for which they are accountable *directly* to the War Department.

It is expected that other officers will shortly be appointed and annexed to headquarters, to whom the objects under the first and third heads will properly belong.

This, when it takes place, will be announced in general orders.

You will take care to make these instructions known within the sphere of your command.

HAMILTON TO M'HENRY.

NEW-YORK, September 2d, 1799.

SIR:

Your letter of the 29th instant is received. I shall conform to what I understand to be the spirit of the practice of which it gives examples. It is right not to make an extra allowance to *officers* for performing a military duty at a place where they are *stationed*, or where they *actually are resident*, or where this is a *military post*, at which they can be accommodated as usual, except for travelling from another place to that post. But I submit that this is not applicable to a person, not a member of the army, who may be specially designated to such a duty. Nor do I think that it consists with the dignity or policy of the government to desire the service of such a person *gratis*. A person not of the army acting as Judge Advocate, ought, in my opinion, to be compensated. Trials in some instances exhaust too large a portion of time to be employed for a public purpose, without an equivalent. It will be agreeable to me, in the three instances in which I have been the agent, to announce that an allowance is to be received. I have thought of three dollars per day. The persons are, Mr. Hare, in the trial of Captain Vance; Mr. Morton, in the trial of Captain Frey; and Doctor Osborne and Mr. Malcom, in those of Major Hoops and Captain Cochran. The state of the military hereafter will obviate the necessity of incurring a similar expense.

In the case of the court-martial of which Major Wilcox was president, I applied the regulations of December, 1798, though from the wording of them, I thought there might be some doubt of their applicability, but your construction will solve the doubt. It is the convenient one.

I shall announce to the several commandants, that law and usage consider the two dollars per head as the equivalent for the extra expenses of recruiting officers, and that no further allowance can be made.

Nothing is more just than your observation, "that officers,

instead of encouraging the complaints of their men on the occasions to which you refer, ought to endeavor to satisfy them that the article complained of, for some good reason, could not be otherwise." I have inculcated this doctrine in different instances, and shall make it a subject of a circular instruction.

You add that nothing is more common among officers, than complaints about every thing furnished by the public. I am inclined to believe with you, that the spirit of complaining is apt to be carried to an excess. But it is important, when it is observed to prevail, to inquire with candor and calmness whether it has not been produced in whole or in part from real causes of complaint. If it has, it is then essential that any defects in the public plan which may have occasioned them, should be corrected.

This is essential for two reasons; one that justice, the success of the service and the public good require that right should be done to the troops; the other, that the doing of it will most certainly and effectually remedy the evil.

In a new army especially, the force of discipline can hardly be expected to stifle complaint if material ground for it truly exist. To be frank on this point is a duty. Viewing the matter from a variety of positions in which I have stood, it is an opinion of some standing with me, that the supply of the army, except in the article of provisions, has been most commonly so defective as to render a considerable degree of discontent a natural consequence. In some instances the quality of articles, in others their form or workmanship, have been faulty; in others they have been supplied too irregularly and too much by retail.

These things, amidst a revolution, will be acquiesced in. In the first essays of a new government, this will be tolerated; but in a more mature state of its affairs, as that of ours at present, a government should not stand in need of indulgence from its armies. In strict justice to them, it should lay the foundation of an absolute claim to their strict obedience and rigid compliance with every duty.

In recurring to ideas of this sort, I only embrace an occasion which seems to call for the expression of them. I well know

your disposition to ameliorate our plan. I count upon the success of your efforts, but till the amelioration has been exemplified, you are not to wonder if murmurs continue, and it will not be my fault if they are not as moderate as possible.

HAMILTON TO M'HENRY.

NEW-YORK, Sept. 2d, 1799.

SIR:

A rule respecting the allowance of barracks and quarters is wanting. I submit to your consideration the following scale:

To a major-general, for himself, four rooms; for each aid, one room and a kitchen.

To a brigadier-general, for himself, four rooms; for his aid, one room and a kitchen.

To the inspector-general, in addition to his allowance as major-general, two rooms for offices, and one for his secretary.

To the quartermaster-general, in addition to his allowance as major-general, two rooms for offices, and one for each assistant or clerk.

To the adjutant-general and each principal deputy with a separate army, the additional allowance of two rooms for offices.

To each field-officer, two rooms; to each captain, one; to each of the regimental staff, one; to two subalterns, one; to every mess of eight officers, two.

To every inspector or quartermaster of a division or brigade, one additional room for an office.

To every twelve persons, other than commissioned and staff-officers, a room of the dimensions of and so in proportion when rooms shall be greater or smaller.

To the commander-in-chief, or general commanding in a separate department or district, the allowance may be exceeded, according to circumstances, of which he must judge upon his responsibility for any abuse of the discretion.

The allowance of fuel to general officers requires also to be regulated. The following scale is submitted:—From the first of October to the first of April in every year,—To a major-general, two cords and a half cord per month. To a brigadier-general, the same quantity. To the inspector-general, the additional allowance of a cord per month. To the adjutant-general, and each principal deputy with a separate army, the additional allowance of a cord per month. To the quartermaster-general the additional allowance of one cord per month, or such quantity as the commanding general shall approve. To each inspector or quartermaster of a division or brigade, the additional allowance of half a cord per month.

From the first day of April to the first of October in every year, one third of the foregoing allowances.

The commanding general, under special circumstances, may, by orders in writing, enlarge or diminish the foregoing allowances in cases not provided for.

No compensation in money to be paid or received in lieu of allowances of fuel.

HAMILTON TO TOUSSARD.

NEW-YORK, Sept. 6th, 1799.

SIR:

It has been represented that the fort at Portsmouth wants a new magazine, new platforms, embrazures; that the walls require to be repaired, and the cannon to be mounted.

It is my wish that the state of this post be surveyed, and specific report made to me of what may be indispensable, towards putting the fort in a state fit for service, with an estimate of the probable expense.

You will judge whether this service must necessarily be performed by yourself, or whether you can assign to it another officer, and you will take measures accordingly.

This object is not to be preferred to one more important.

CIRCULAR.

NEW-YORK, September 7th, 1799.

SIR:

It has been suggested to me that particular officers, in some instances, have incautiously indulged remarks in the presence of their men, respecting the bad qualities of articles furnished, which were of a nature to foster discontent in the minds of the soldiery. Instances of this sort, I am persuaded, must have been very rare, as the impropriety of the thing is too glaring to escape an officer of the least reflection; and I am convinced it is only necessary to mention the matter to you, to engage your endeavors to prevent a similar imprudence. If any articles of supply are exceptionable, the proper course is to represent it to me, in order that the remedy, if in my power, may be applied; if not, that it may be sought through the Secretary of War. Of my constant exertions to place the army on a comfortable and respectable footing, no doubt can be entertained.

Desultory observations have from time to time been made to me, respecting particular articles. I am desirous of having a special and very accurate report from the commandant of each regiment, of the quantity and quality of all the articles which have been received for its use, viz., arms, accoutrements, clothing, tents, and camp utensils. You will as soon as possible transmit it to me. Any suggestions of improvements in any of the articles which are supplied will be acceptable.

HAMILTON TO WASHINGTON.

(PRIVATE.)

NEW-YORK, September 9th, 1799.

DEAR SIR:

Two days since I received from General Wilkinson a report of which I now send you the original. You will find it

intelligent and interesting. Perhaps on the score of intrinsic propriety, it deserves to be adopted to a larger extent than some collateral and extraneous considerations may permit.

I had previously thought of the subject, but had purposely limited myself to a few very general ideas, that I might examine with the less prepossession the plan of an officer, who, possessing talents to judge, has for years had his mind occupied with the scene to which he refers. Since the receipt of his plan, I have assiduously contemplated it with the aid of a full personal explanation; and my judgment has formed a result, though not definitive, but liable to revision. I adopt several of the leading ideas of the General, but I vary in some particulars; as well because I think the change might be too strong with reference to its influence on public opinion, and the feelings of the parts of the country immediately concerned, as because it seems to me that motives of real weight dictate a modification of his plan.

Premising that one complete regiment of infantry should be left for *Tennessee* and the frontiers of Georgia, I would propose the following disposition for the remaining three of the old regiments, and for the battalion of artillerists and the two troops of dragoons allowed for the western army. It is taken for granted that the plan must contemplate only the four old regiments of infantry, (with those portions of artillerists and dragoons,) inasmuch as these are the only infantry regarded by our system as permanent. The twelve additional regiments will dissolve, of course, as to the non-commissioned officers and privates, by the simple fact of the settlement of our dispute with France.

Let these troops be disposed as follows, viz.:

A Battalion of Infantry and a Company and a half of Artillery.

Niagara.—Two companies of infantry and a half company of artillery.

Detroit.—Three companies of infantry and one company of artillery, to furnish a detachment for

Michilimackinac, of a subaltern, two sergeants, and twenty-four rank and file infantry, and a sergeant and twelve artillerists.

A Battalion of Infantry and a Company of Artillery.

Fort Fayette and Pittsburgh.—One company of infantry and a quarter of a company of artillery.

Fort Wayne.—One company of infantry and a quarter of a company of artillery.

Fort Massac.—Three companies of infantry and half a company of artillery, to furnish detachments for

Fort Knox.—A sergeant and eight rank and file.

Fort Pickering, Chickisaw Bluffs.—A subaltern, two sergeants, and twenty-four rank and file.

A Battalion of Infantry and a Company of Artillery.

Fort Adams, Loftus Heights.—A battalion of infantry and a company of artillery, to furnish for

Fort Stoddart, Junction of Alabama and Tombigbee Rivers, Mobile.—Not exceeding a company of infantry and a quarter of a company of artillery.

There will then remain a regiment and a battalion of infantry, half a company of artillery, and two troops of dragoons. Let these be stationed at some convenient point at or near the *Rapids of the Ohio*, to form an army of observation, and act as exigencies may require.

The other posts now occupied to be *relinquished.*

A few remarks will illustrate the reasons of this plan.

As a general principle, it is desirable to concentrate the force as much as possible. This tends to efficiency for action, to the preservation of order and discipline, and to the promoting of economy. It is conceived that the occupying a small number of critical points with a reserve of force to support an attack will be more impressive on the Indians than the dissipation of the whole force among a great number of small posts. This reserve ought to be so placed as to look to all the principal objects, and it may, as an incidental one, with propriety, look to that of preventing or suppressing insurrections. The concentration of force, with a proper disposition, will render the maintenance of it far less expensive than if subdivided into small and scattered portions.

These more particular considerations co-operate.

As to Niagara and Detroit.—The effectual possession of the Straits which connect Lake Erie on the one side with the Ontario, on the other with the *Huron*, appears to me very material as a security against British attack, and as a means of controlling the northern and northwestern Indians, by enabling us to obstruct communication. These points are mentioned because they now exist as posts; but the Straits ought to be reviewed by a skilful engineer, and such points selected as will be most defensible, and will best command the Straits. The force proposed for these stations at present is inadequate in a *prospective* view; but as there is a probability of a continuance of good understanding with Great Britain for some time, it is conceived that it may now suffice for the sake of obtaining a respectable *corps de reserve*, to be augmented as our military means may increase.

When the proper points shall have been definitively selected, it would be my plan to have at each station a *regular fortification*, requiring a garrison of from 500 to 1,000 men, as the nature of the ground to be occupied may indicate, with a citadel in each, defensive by from two to three hundred men. These, in times of complete harmony with Great Britain, may suffice; but, on the appearance of approaching differences, to be increased to the complement. The posts at all times to be supplied for a siege. The progress of settlement will speedily furnish the means of prompt reinforcement.

As to Michilimackinac.—The only motive for retaining this post is to preserve the occupancy of an old communication in some sort calculated to influence the Indians. As to trade, it is now only useful to the British, and likely to continue so for some years, except in so far as they find it their interest to turn their trade into our channels. There are here a few white families, supposed to be able to furnish about sixty arm-bearing men, who are said to be well disposed to our government, and who certainly, in a controversy merely with the Indians, would cooperate with the garrison. A small one is deemed sufficient for the present purpose of the post. For this an additional reason is, that the maintenance of troops there is excessively costly. Any greater force which, with our present total, could be thought

of for that station, must be considered as a *corps perdu* in case of war with Britain, as it would be entirely out of the reach of succor. Consequently, the smaller the force there, if sufficient for the other objects, the better. It is to be observed as to this place, that the Indians whose situations are relative to it, are, in no view, formidable. The insular situation is a further security.

As to Fort Fayette.—It may be doubtful whether any force here is really essential, and whether, as being a mere depot, it may not be left, as at other places, to the safeguard of the inhabitants; but, considering that it is a portal to the western country, and that disaffection to the government has been shown by the inhabitants of the neighboring country, the force proposed is deemed expedient as a guard and as a rallying point to the well-affected.

As to Fort Wayne.—The critical situation of this place with regard to a number of different waters, and the influence of its immediate aspect upon the most warlike of the Indians in that quarter, make it, in my view, a post to be maintained, contrary to the idea of General Wilkinson.

As to Fort Massac.—This being another portal, and the great outlet for the commodities of the Northwestern Territory, Kentucky, &c., it appears to me that, for obvious reasons, it ought to be secured by a strong regular fortification and a respectable garrison.

As to Fort Knox.—There has been for some time no more force than is now proposed, which is only necessary as a guard. The settlement is of itself an overmatch for the feeble Indians in the vicinity; who, besides, will be within the speedy stroke of the main body.

As to Fort Pickering.—The considerations mentioned by General Wilkinson are referred.

As to Fort Adams.—I make the like reference. This is an essential point. It is on a height which completely commands the river and the surrounding country, and, according to General Wilkinson, can easily be put in a state to defy every thing but famine with a garrison of about two hundred men. The force allowed will always afford this garrison.

As to Fort Stoddart.—This is now occupied with a company. It is critical as to an important river. The Indians are in the habit of seeing it occupied by the Spaniards. It commands an important communication with the powerful nations of savages in the neighborhood, and is calculated to have an influence upon them. It is in the bosom of a white settlement. These are reasons for keeping it as a post. But an objection to it is, that at present it can with difficulty be supplied otherwise than through the Spanish territory. To make it proper as a permanent one, an easy communication through our own territory must be established. General Wilkinson says this is practicable.

I take no notice of the other posts suggested by General Wilkinson to be established along our southern line; because, in his own view they are eventual. The Indians must be first reconciled there. And leaving a regiment for Georgia and Tennessee there is no present force for the purpose. It is also liable to the objection of an extreme frittering of our force.

I do not concur with General Wilkinson in the disposition of the *corps de reserve*. He would have it in the neighborhood of *Fort Adams* (say Natchez). I propose for it the vicinity of the rapids of the *Ohio*.

On General Wilkinson's plan its great utility would be narrowed to a point, the meeting in the first instance an invasion from below, and in case of rupture of a prompt attack upon New Orleans.

But the strength of the reserve alone could not be relied upon as adequate to either object. If a superior force from below should attack, the principal body of our regular force might in the outset be defeated, dissipated and lost. Thus depriving the militia of a necessary support might lead to greater misfortunes. If an attack is to be made, as little as possible should be left to chance, and consequently the force ought to be greater than the plan would admit.

The stationing of a large body below would give jealousy to the Spaniards, and lead to the measure of augmenting their regular force by drawing reinforcements from some other quarter.

Stationed above, no jealousy will be excited. For attack or defence the regular force can descend with the addition of the force of the country. Concerted and combined operations may insure efficiency.

In this situation the force will look to various points; to the northern Indians, to the disaffected of the neighboring country, &c., &c. Enough is said. Your reflection will supply the rest.

I send this letter without a copy, that I may not lose a post, as time and the season urge. Favor me as soon as possible with your observations and directions, for which I wait.

With the greatest respect and affection,

I have the honor to be, &c., &c.,

Your obedient servant,

A. HAMILTON.

P. S. Presque Isle is a very healthy situation, and capable of much defence. The neighboring country is growing fast powerful, so as to take care of itself.

WASHINGTON TO HAMILTON.

MOUNT VERNON, Sept. 15th, 1799.

DEAR SIR:

Mrs. Washington's indisposition (being confined eight or ten days) and other circumstances, would not allow me to give your letter of the 9th instant, and the reports, journals, &c., &c., which accompanied it, an earlier consideration.

Having done this, however, with as much thought as I have been able to bestow under the circumstances mentioned, I can see no cause (with the limited force which has been enumerated, and which, I presume, is all that can be calculated upon) to differ from you in the disposition of it. Although, at the same time, I shall make some observations thereupon for consideration.

It may be remembered, that at the time the Secretary of War

laid before the General Officers in Philadelphia, the letters of General Wilkinson respecting the propriety (in his judgment) of placing a considerable force at the Natchez, I gave it my decided disapprobation, inasmuch as it would excite in the Spaniards distrust and jealousy of our pacific disposition, would cause an augmentation of force on their part; and so on with both, if our government would go into the measure, until the *thing* which was *intended* to be *avoided* would, more than probable, be produced—that is, hostility—whereas, keeping that force in the upper country, besides its looking to *all* points, and exciting no alarm in any, might, if occasion should require it, either for defence or offence, descend the stream like lightning, with all its munitions and equipments, which could be accumulated with ease, and without noise at the upper posts, and make the surprise more complete.

Although I have said (in effect) that the *corps de reserve*, or army of observation, should take post at the place you have mentioned, namely, in the vicinity of the rapids of the Ohio (Louisville), yet I can see but two reasons which entitle it to be preferred to the *present* post above, i. e., Fort Washington, in a geographical point of view; and these are, that there is no water above the former that can float large vessels at all seasons; and that by being so much lower down, the passage of the Ohio would be facilitated if an expedition should descend the Mississippi. In other respects, the latter, in my opinion, has the advantage:

1st. Because it is a post already established, and would incur no additional expense.

2d. Because it is more contiguous to Fort Wayne, Detroit, Michilimackinac, and all the Indians on the Lakes from whom, in that quarter, we have most danger to apprehend.

3d. Because communications with it (and for the most part by water) are already established. And,

4th. In case of insurrections above or below, it is equally as well, if not better, situated.

Were it not that the mouth of the Wabash empties itself into the Ohio so low down, and yet above its confluence with Cum-

berland and Tennessee, I should be inclined to give a position thereabouts the preference of either the Rapids or Fort Washington; because it would command a great water inlet towards the Lakes.

But whether the position of the *corps de reserve* be chosen at the Rapids of the Ohio—above or below—it had better, I conceive, be on the north side of the Ohio than within the State of Kentucky; thereby impeding more the intercourse between the army and the citizens, and guarding against the evils which result from that mixture and too much familiarity.

I am so far from agreeing with General Wilkinson, that Fort Wayne ought to be abolished, that if I mistake not the place (central between the heads of the Miamis of Lake Erie and the Ohio, the St. Joseph and the Wabash), affording good water transportation, with small portages in every direction, I would pronounce it (were it not for the expense of subsisting troops there) the most eligible position for the army of observation of any in that country. It would be an effectual security against all the Indians who could annoy us in that region; it would cover our barrier posts on the line between the British and us; and troops from thence might descend rapidly into the Mississippi by the Wabash.

General Wilkinson, in speaking of posts along our southern frontier, is general, and you only notice Fort Stoddart. But on an inspection of the maps, a place presents itself to my view, as very eligible to occupy, provided the Creek Indians would consent to it. I mean the Apalachicola, at its confluence with Flint River, where the line of demarcation strikes it.

But, in my opinion, if we had or could obtain an engineer of *real* skill, and attached to the true policy and interest of the United States, he ought to devote his whole time to the investigation of our interior country, and mark and erect its proper defences; for these, hitherto, have been more the work of chance and local consideration than national design.

If the harbor of Presque Isle is good, I should think a small garrison ought to be retained there. It certainly is the *best* on the American side of Lake Erie, and one there is important;

but I see very little use of a sergeant and eight privates at Fort Knox.

It is either unnecessary or too small, and sergeants at a distance rarely conduct well, when they have not the eye of an officer to inspect their conduct.

There are several references in General Wilkinson's report which were not sent. No. 1 appears to have been essential. They are all returned.

By his statement of the mutilated condition of the troops, and present disposition of them, there must have been most horrible mismanagement somewhere. A corrective is indeed highly necessary. The practice of furloughing officers, and then renewing the furloughs from time to time, is extremely injurious to the service, and ought to be discontinued on ordinary occasions.

And that of frittering the army into small garrisons is, if possible, worse. It will never be respectable where these evils exist; and until it can be more concentrated, and garrisons frequently relieved by detachments from the main body, discipline will always be lax, and impositions on the public will prevail.

If the British are resolved to keep up armed vessels on the Lakes, I presume it will be expedient for us to do the same; but in time of peace, a better way, in my opinion, is for neither to have any. In case of a rupture, or the appearance of one, with that nation, there can be no doubt of our arming on those waters much more expeditiously than they would be able to do.

I have now gone over the material points in your letter and General Wilkinson's report, but, as I mentioned before, it has been done under circumstances unfavorable to minute investigation or mature deliberation, and my sentiments, where differing from you, given more for consideration than decision.

Should any thing of importance on this subject, not noticed, here occur to me, I shall not fail to communicate it to you; for the measures now taken with respect to guarding our frontiers and interior country ought to be such as will be permanent and respectable.

With very great regard, I am, dear Sir, &c.

HAMILTON TO M'HENRY.

NEW-YORK, September 16, 1799.

SIR:

In recurring to your letter of the 29th of August, I observe there are points which, for a clear understanding, require from me some observations.

I shall make this preliminary remark, that in presenting them with emphasis, as I am accustomed to do, I am actuated by the sole and exclusive motive of showing by particular instances that the past plan has been productive of imperfect results, and that more comprehensive and adequate measures are necessary for the future.

Our provisions have been made too much on the spur of the occasion, have been too generally confined to the absolutely necessary for the moment, rejecting the idea of surplus for future casualties and exigencies. This defect in our plan is not imputable to any one individual. It may be traced partly to the immaturity of our institutions and affairs, and partly to errors of opinion which embraced persons in various situations.

I am sensible that important steps, both legislative and administrative, have been taken towards a more provident and efficacious system; but a frequent contemplation of the imperfections of the past plan ought to have the effect of increasing the tendency towards improvement.

I must at the same time be permitted to add, that in my opinion, the want of a proper organization of agents in the various branches of the public service, and of a correct and systematic delineation of their relative duties, has been a material cause of the imperfect results which have been experienced; that it continues to embarrass every operation, and that while it lasts it cannot fail to enfeeble and disorder every part of the service.

To exemplify the present defect of organization, it is sufficient to refer to the situation of the Quartermaster-General's department, of the medical establishment, and of that of the Pay Office. The Paymaster-General, with propriety, is stationed at

the seat of government; but he has no deputy either at my headquarters or at that of General Pinckney.

I am sensible that where the appointment of the chief requires the consent of the Senate, it must now be deferred to the future meeting of that body, and that the subordinate persons whom the law places in the choice of those chiefs, cannot be constituted without them; but temporary arrangements may still be made as a substitute; and I confess my anxiety that this may be done, either immediately by you or by your direction to General Pinckney and myself, each to regulate the matter within the sphere of his command.

Permit me earnestly to request that this business of organization in all its branches may engage a prompt and decisive attention. Till this shall have been the case, no commanding officer can perform well his peculiar duties; as his time and attention might be engrossed in details, which are foreign to his station. And the consequence must be inefficiency and disorder.

I proceed to some particulars of your letter.

"You observe that you consider it as the duty of the commanding general not only to make returns of *all articles*, among these clothing wanted for his troops, but to make them in such season as to allow of making up and transporting them to their destinations."

If this idea shall be adhered to, I shall be very ready to perform my part; but I should wish a more precise definition of the objects. What are the articles to be embraced? There are some objects, as artillery, muskets, &c., of which it is always to be presumed there are sufficient quantities constantly ready in the public arsenals and magazines. What time or times will be deemed proper for the transmission of the returns? Are the destinations in detail to be pointed out or not?

But I beg leave to recommend the point to a serious reconsideration; and I will take the liberty to offer some reflections in relation to it, which seem to me to deserve attention.

The total force which is to compose the military establishment is regulated by law. That force as prescribed by law, is itself the standard of all ordinary supplies *to be provided*, which

ought always rather to exceed than fall short of the complement. The Secretary of War consequently possesses *ipso facto* the rule which is to govern as to providing all fixed and stated supplies.

If this force is to be divided into different armies, still the aggregate of supply must be the same. Besides, that distribution will be arranged by the Secretary of War in concert with the Commander-in-Chief. If left to the discretion of the latter, he only is competent to furnish the criterion.

It follows, that the principal articles of supply, all those which are not dependent on the particular nature of military movements, will always depend on the establishment, and will not be to be regulated by the returns from particular generals.

The temporary strength of corps, at one time increased by the accession of recruits, at another diminished by the casualties of service, ought never to be a guide in providing; because such a standard is fluctuating and uncertain, and because the supply ought to be commensurate with the full complement of the establishment.

The commanding general, who should have to present an estimate to the head of the War Department, (and whose agency as to the ordinary and stated supplies is rendered unnecessary by the circumstance of there being other data previously in the possession of the department,) would be bound to govern himself in his estimate by the scale of the establishment, and not by the temporary state of things.

Requisitions, *from time to time*, for the issuing of supplies, may fall under a different consideration. These would have reference to the actual state of the forces; but these do not answer to the import of the terms you employ, which appear to aim at some annual, or other periodical estimate to govern the *providing* as well as the *issuing* of the articles.

Premising these things as objections to the idea you have suggested in its full latitude, it remains to examine what is the proper course.

The head of the War Department must no doubt be aided by agents who are conversant in the various branches of supply and competent judges of what may be wanted.

These agents ought to be certain officers, or boards established at the seat of government, more permanently fixed in their stations than the precarious commander of a particular army; such as the purveyor of supplies, a board or master of ordnance; or, instead of these, the inspector of artillery, the superintendent of military stores; which officers ought to be aided by information from the chiefs of the *branches of supply connected with the army*, as in our present system the quartermaster-general, &c. &c.

These latter officers being under the direction of the military commanders, would be obliged to communicate with them to receive their instructions, and to inform them of what is done or intended, so that they may be apprised of the competency of the provision made or to be made, and may be able to direct calls, or to represent to the head of the War Department such further provisions as they may judge expedient.

As to the supplies to be from time to time issued, requisitions ought to come from the *chiefs of the several branches* of supply, acting with the armies, *to those officers who at the seat of government are charged with providing and furnishing the respective articles.*

As on the one hand, the complement of the establishment will be the guide in providing, so on the other, the returns of actual force to the Secretary of War from the commander of each army, will, in the first instance, be a collateral guide to the officers, and a check upon extravagant demands, and the accounts afterwards to be rendered will show the application.

The forming of the permanent arsenals and magazines of a country, which ought to be always prepared to furnish the principal articles of supply, is naturally a work of administration, predicated upon an entire view of the political and military relations, and the forces and resources of the country. When these are thus formed, how few are the objects to which the estimate of a particular general can apply? How are the partial and detached estimates of several particular generals to reach the full extent of the supplies aggregately necessary? How is each to make his estimate of what may be requisite, unless each has under his eye the entire state of all the national arsenals and maga-

zines, and enters into a minute examination of all the issues which may have been made? If he is to do all this upon his own responsibility, what time will he have for his purely military duties? Is it proper in theory that each general having a separate command, should possess a complete view of the state of all the public arsenals and magazines?

I conclude, that from the nature of the thing, the *business* of procuring and of *issuing* supplies ought in a general view to be unconnected with the particular commander of a particular army; that it is properly a business of administration, in which the head of the War Department is to be aided by the subordinate organs of his department stationed at the seat of government, and by the heads of the several branches of supply who act with the armies.

The agency of the Commander-in-Chief, and the commanders of particular armies, where requisite, ought to be collateral and auxiliary, not direct and primary.

It is true, that there is a class of supplies, which being governed by the actual operations contemplated, such as transportation, forage, &c., must be regulated by estimates and returns to come from the armies. But even in these cases, the responsible persons to make the estimates and returns, ought to be the chief or chiefs of the departments of supply with the armies, who ought previously to submit their estimates and returns to the military commanders, in order that they may be transmitted with their opinions and observations.

Thus far, it is conceived, the agency of the commanding general may be useful and proper. But the scheme of it, as now indicated, supposes as a preliminary, the appointment of the proper heads of the several branches of supply.

Indeed, this preliminary is essential to every form of agency in this respect, which may be assigned to a commanding general. It is not presumable in principle, and would never be found true in fact, that the general of an army is so minutely acquainted with all the details of supply as to be qualified to present a correct view of all the objects which may be requisite, without the intervention of those officers whose peculiar province it is to manage the business of supply.

As to the subject of pay, it would seem from your manner of expression to be your idea, that the warrant of a commanding general must be founded on certificates of the *paymaster-general*. But I must conclude that this cannot be your meaning; as a very natural and fair construction of the laws will for this service substitute to him his deputy with each army; and as it is essential, in practice, that the interpretation should admit of this substitution. How else are the troops remote from the paymaster-general to be paid at all? Consider, especially, the position of the western army.

When the law of the 8th of May, 1792, which charges the duty on the paymaster-general was passed, there was but one army—hence that act designates him singly.

But the act of the 3d of March last, contemplating that there may be several different armies, provides that there shall be a deputy paymaster-general to each of them, without particularly defining his duties. It is evident that he must be intended to perform duties, and important ones; what are they? The law being silent, they are of course all such as the paymaster-general is to perform where he may be; except as to any particular one, which, from the nature of the thing, ought to be confined to the chief. On any other principles, the deputy will be as much excluded from one duty as from another, which was before performed by his chief, and the appointment will become nugatory.

I infer that all moneys for the purpose of paying the pay, subsistence and forage of the troops, must still be delivered in the first instance by the treasurer to the paymaster-general, because this is conducive to union and to a regular chain of accountability; but that the paymaster is to deliver over to each deputy in mass a sum sufficient to answer all these purposes with the army to which he is attached, and the deputy is to disburse it in detail, and to exercise all the services preparatory to that disbursement, which by the first law were charged upon the paymaster-general, including that of certifying the sums due, to the commanding-general.

Principles of law, no less than those of convenience, warrant this construction, beyond the possibility of doubt, after mature reflection.

Accordingly, in consequence of a representation of difficulty, on the point of warrants, by the paymaster-general, I have advised him, as the legal and proper remedy, to appoint without delay one deputy to the troops under the command of General Pinckney, another to that under my command. I confidently trust that you will approve, and, if necessary, enforce this advice; the ground of it is unquestionably solid.

The course which you indicate in the last paragraph but one of your letter, appears to me perfectly correct and convenient.

HAMILTON TO M'HENRY.

New-York, Sept. 17, 1799.

Sir:

Part of the contents of your letter of the 10th of July last, (which has happened to escape a definitive attention,) being connected with the subject of the 7th of September, I shall reply to them together.

Previous to the receipt of the last, I had drafted rules relating to extra expenses, which after careful revision I send for your determination. They contemplate, it will be seen, a discretion, to make exceptions in special cases. The rule in such matters cannot be entirely absolute without involving too much embarrassment. As the establishment of a general rule will attach a particular responsibility to each deviation from it, it will, in the main, prevent unnecessary deviations. The regulations do not include the restrictions which may be thought fit to be laid on the commanding generals. These, it is supposed, had better be the subject of particular communications by letter to those officers.

The two other points mentioned in your letter of the 10th of July, shall now be attended to.

First, as to compensation or allowances to servants not soldiers. It appears to me a clear point, that the resolution of Congress of March, 1780, is not in force, and consequently can-

not be an authority for such allowances. There being no other, it is not seen how any general practice of the government could be now supported. With regard to the expediency of the practice on principle, I have strong doubts. I fear that it might lead to the abuse of compensations for nominal servants, while soldiers would still be the real ones. Pretexts of sickness, &c., in the hurry of a campaign might disguise the abuse. I question, too, whether in time of peace it would be advisable to augment the public expense by the addition of persons of this description.

I incline most to the plan of the Great Frederick, which was to let the officers in time of peace be served by the ordinary soldiers; in time of war, by supernumeraries, specially enlisted for the purpose, and discriminated by a distinct uniform or livery, forbidding the soldiers of the ranks on any pretence to be employed in this capacity. This practice procured all the advantages without the dangers of the other plan.

The number of servants which it is conceived proper to allow to the respective grades of officers, are—

To the Commander-in-Chief, or General having a separate command, three, without arms, to attend him on horseback.

To the Inspector-General, Quartermaster-General, each Major-General not having a separate command, and to the Adjutant-General, two of the like description.

To a Brigadier-General, Paymaster-General, Deputy Quartermaster-General, Deputy Inspector-General, one of the above description, and one with arms.

To each field-officer, and every other officer who ordinarily serves on horseback, one of the first mentioned description.

To every officer who usually serves on foot, one with arms.

The servants required to have arms in all general exercises, marches, and movements, are to be found in the ranks. When annexed to officers detached from corps, they must join the guards connected with such officers or their baggage. In the cases in which they would be otherwise without arms, if they are attached to officers of dragoons, they will retain their arms.

The drawing of provisions for children appears to me inadmissible, and, as far as I know, unusual. They are, without this, incumbrance enough, when in camp or quarters, especially in the camp of a campaign.

I remark, incidentally, that it is to be wished that a corps of invalids, and an establishment for the maintenance and education of the children of persons in the army and navy, were provided for by law. Policy, justice, and humanity, forbid the abandoning to want and misery men who have spent their best years in the military service of a country, or who, in that service, have contracted infirmities which disqualify them to earn their bread in other modes.

Employment might be found for such a corps, which would indemnify the public for the mere maintenance of its members in clothing, lodging, and food. The United States are perhaps the only country in which an institution of this nature is not to be found—a circumstance which, if continued, will be discreditable. The establishment as to children is recommended by similar motives, with the additional consideration that they may be rendered by it useful members of society, and acquisitions to the army and navy as musicians, &c. I shall wait for your opinion as to the abolition of issues to children.

You will observe what articles are supposed by me to be proper to be furnished by the contractors. These are the only ones which I recollect, as of ordinary and stated supply, that will not naturally come from the Superintendent of Military Stores. Contingent or extra articles had better be under the management of the agents. As to the scale of allowance in each case, this has either been regulated by your department, or has already been the subject of some former communication from me, except in the instance of forage. I forbear to offer any scale for this article, because I take it for granted that one is already established on the basis of long experience.

If you are desirous of a revision of it by me, I shall be ready to obey your orders for the purpose.*

* One point occurs, in connection with the general subject of this letter. It appears to be the practice of accounting officers to reject items in the accounts of

REGULATIONS RESPECTING CERTAIN SUPPLIES, AND RESPECTING SPECIAL AND EXTRA EXPENSE.

The several contractors, besides rations, including ardent spirits and vinegar, shall only provide and furnish *quarters*, *transportation*, *forage*, *fuel*, *straw*, *stationery*, and, where there shall be no other provision for the purpose, medical assistance.

The quarters intended are those of a temporary kind. The power to provide them shall not extend to the building or repairing of barracks. In what they furnish, they shall govern themselves exclusively by the regulations which shall have been established by law or by the War Department; and, where none exist, by the orders of the particular commanding officer.

No barrack or other building shall be erected but by order of the quartermaster-general, the deputy quartermaster-general, or, in a separate command, the commander of an army, or the commander within a separate military district or department, or of the Secretary of War. No repairs shall be made to any barrack or building which shall incur a disbursement of money exceeding fifty dollars; but, by the like order, where there are several distinct forts or posts in a subdivision of a great military

contractors which have been furnished, upon the orders of particular military commanders, even in cases in which no rule has been prescribed to the contractors. This, in my opinion, is neither just nor regular. The disbursement, if vouched by such an order, ought to be admitted to the credit of the contractor, and charged to the officer, till a satisfactory explanation shall satisfy the department that it ought to be a public charge. In most cases, when not strictly proper in the abstract, it will be expedient that the expense shall be defrayed by the public, and a repetition prevented by more precise instructions, or, where these have not been deficient, by the reprehension or punishment of the officer.

One bad consequence of embarrassing the adjustment of the contractor's accounts, may be, that they will refuse, in cases of the least doubt, to comply with orders which are dictated by necessary and emergent services. Besides that, on principle two discretions in undefined cases are an absurdity; and if but one, it is properly with the commanding officer, upon his responsibility; and the contractor, who ought not to exercise a discretion, ought in no event to suffer.

district, united under the command of an intermediate superior, the particular commandant of either of those posts shall not cause any such repairs to be made, though occasioning no greater expense than fifty dollars, without a previous report to such superior, and his approbation. No extra expense for any special object or purpose shall be incurred by such particular commandant, without a previous report to the said superior; who, when such expense may exceed fifty dollars, shall not authorize it without first obtaining the sanction of his superior. The commandant of a particular fort or district, having no intermediate superior, shall incur no expense for repairs, nor any extra expense for any special object or purpose, which may require a disbursement exceeding fifty dollars, without the permission of the commander of the army or district, or of the Secretary of War.

As often as any matter which may require any special or extra expense can wait without material injury to the service, for a communication to and the direction of the commander of an army or district, it is not to be undertaken till after such communication and direction shall have been had.

These regulations admit of exceptions in cases of extraordinary emergency and of peculiar urgency, when the service would be likely to suffer materially from the delay, which might attend the observance of them. Every such exception will be on the special responsibility of the officer by whom it may be made, who must *immediately* report to his superior the occasion, and the expense, *probable* or actual. The commander of an army, or within a great district, may, by instructions in writing, to be forthwith communicated to the Secretary of War, make exceptions in cases where the remoteness of a fort or post shall render the application of these regulations manifestly inconvenient; intrusting a large discretion to the commandant of such fort or post.

The quartermaster-general, his deputies and assistants, are primarily charged with the making of the disbursements in the cases above-mentioned. When there is no such officer, the agent of the War Department in the vicinity shall do it. All orders for such disbursement must be definite, and in writing, to be

transmitted with the accounts of them to the accountant of the War Department.

HAMILTON TO COLONEL MOORE.

NEW-YORK, Sept. 18th, 1799.

SIR:

I have received your letter of the 17th instant, and regret extremely the event of which it informs me. Although it is not my intention to contravene military prejudices on the subject, yet I doubt not you will agree with me that it is proper to discourage a spirit which would lead to frequent events of this nature.* I must request from you a particular statement of the circumstances of this unhappy affair.

HAMILTON TO M'HENRY.

NEW-YORK, Sept. 19th, 1799.

SIR:

I have communicated to Colonel Bentley your resolution as expressed in your letter of the 30th of August, in respect to the late appointments for his regiment.

But the occasion claims from me some remarks, as due to my own opinion of propriety and the good of the service.

I cannot doubt that the practice of your department, as to the filling of vacancies in new corps, previous to your coming into it, was just as you state; but in the latitude in which it is stated, I cannot easily be persuaded that it is such a practice as ought to be continued, or that it is not of a nature to sow the seeds of permanent discontent in the infancy of every corps.

* I have been the more naturally led to this reflection, as I am informed by General Wilkinson that the practice of duelling in the Western army has been carried to an extreme in every view reprehensible and injurious.

I can, nevertheless, agree in the position of the Commander-in-Chief, that when, in the case of a newly created corps, an officer declines his appointment, during the act of formation, the vacancy is not necessarily to be filled by the next in seniority.

But this is a rule rather to be narrowed than extended in its application; because it clashes with expectations that will inevitably grow up in the minds of officers, and in which their pride and self-love will always take a very active part. It is, in my opinion, to carry it to an impolitic extreme, to say that it shall operate until "the regiment, legion, or corps has been recruited, or nearly so, and has marched to head-quarters." And to apply it to a single case of promotion is to mistake its principle, as, from the subsequent expressions of the Commander-in-Chief, may be inferred to be his idea. The rule is naturally confined to the case of an officer in the original creation, who declines his appointment; in other words, who refuses to accept. The moment a station has been filled by acceptance, though but for a day, the right of promotion attaches to it, and, if becoming afterwards vacant, it is filled by a new person, this is a violation of the principles of service and of the just expectations of subordinate officers. It is not a correct answer to this to say, that a corps "is open to new appointments," or, as I understand the phrase, that the right of promotion does not commence till after the relative rank of the officers who have been appointed has been settled.

The want of a settlement of relative rank among them only leaves it doubtful what individual of their number shall succeed, but it does not involve any doubt whether aggregately they do not exclude a stranger. There is still a clear right of some one of them to succeed, to be effectuated as soon as the relative rank is established; and new persons ought to come in junior to them all.

The appointment, therefore, of a new person in the place of one designated to an office in the regimental staff, to take precedence of others before appointed, is irregular, and not warranted by the rule, if taken within just limits, or within the definition of the Commander-in-Chief.

Even the practice of introducing new men to vacancies occa-

sioned by the non-acceptance of officers in the original appointment, ought not, in my judgment, to be continued till the corps should have been recruited or nearly so, and marched to head-quarters, as you state to have been the case.

This may be so long protracted as to postpone inconveniently the routine of promotion, and produce dissatisfaction. A reasonable period should be fixed within which acceptances may with due diligence be ascertained—suppose three months from the first appointment of officers. To keep the thing open for a year or more, which is likely to be the case in the present instance, if the completion of the regiment should be the criterion, could not fail to beget discontent even in men of moderate and subordinate tempers.

The recommendation of persons as officers by the commandants of regiments ought, I think, when the contrary is not expressed, to be understood to mean, that they shall come in as junior second lieutenants. If I recollect rightly, in one or two instances of an early date, they have expressed the contrary, and relying upon their judgment of the probable effect on their regiments, I have countenanced the recommendation. But I am clearly of opinion that this ought not to be the case in future; and that, considering the length of time which has elapsed since the organization of the regiment, it is indispensable that the routine of promotion shall henceforth prevail, with the exception perhaps of the fifth regiment, in consideration of the receiving of the appointments for it.

Military prejudices are not only inseparable from, but they are essential to the military profession.

The government which desires to have a satisfied and useful army must consult them. They cannot be moulded at its pleasure; it is vain to aim at it.

I must entreat, sir, that the observations which I have offered in this letter may be attentively weighed. They are urged upon mature reflection, and are believed to be material to your satisfaction and that of the officers-principal in command, to the satisfaction of all the officers, present and future, to whom they are applicable, and to the harmonious course of our military affairs.

With great respect and esteem, I have the honor to be, &c.

HAMILTON TO M'HENRY.

NEW-YORK, Sept. 21, 1799.

SIR:

I feel it as a mark of consideration for my recommendation, that notwithstanding the force of the difficulties which in your view operate against further advances not founded upon the prescribed forms, you are pleased to declare that you will once more give your sanction to the measure. I must entreat you even to go a step further, and to order that it be without fail done. For symptoms bordering on mutiny, for the want of pay, have been reported to me as having appeared in the twelfth and thirteenth regiments—and discontents, less turbulent, have been communicated from several other quarters; an explosion any where would injure and discredit the service, and wherever the blame might really be, would be shared by all. No one can be more deeply impressed than I am with the necessity of a strict adherence to general rules and to established forms. But there will occur circumstances in which these ought to be dispensed with, and it is equally important to judge rightly when exceptions ought to be admitted, as when the general rule ought to be maintained.

The creation of a new army, in which every officer from the highest to the lowest is of new appointment, and in respect to which, in and out of the administration, there is a deficiency of some essential organs, presents a case which with the utmost diligence and care will require and justify relaxations.

For instance, the law and the instructions of the Treasury Department require that the pay of the troops shall be founded upon warrants of the commanding general, regulated by the reports of the paymaster-general, or, as I maintain the construction of the late law to be, of his deputy, with a separate command. How was that practicable when the paymaster-general was at Cincinnati, and he had no deputy any where? How can it now be done with reasonable convenience and expedition, when he resides at Philadelphia, and he has no deputy attached either to my command or to that of General Pinckney?

Again, muster and pay-rolls are to be in certain precise forms, prescribed by the Treasury; these forms were received by me only four days since, and consequently could not hitherto be in the possession of the commandants of regiments. It will not be said that I ought to have called for them; because certainly it lies with the department to communicate its own regulations uncalled for. Are the soldiery to suffer a privation of pay for several months, because these forms, never prescribed, have not been fulfilled?

It is true, that when I was at the head of the Treasury Department, these forms passed under my eye; but it is no less true that I had forgotten the circumstance, and that considering it as an attribute of the inspector-general to devise forms, where none were before established by higher authority, I had caused to be prepared forms of muster and pay-rolls to answer the present exigency. Surely, as the matter is situated, these forms ought provisionally at least to serve as substitutes for the established ones.

Various other particulars might be added to prove that dispensations with the ordinary forms ought to take place in relation to the new regiments; but the foregoing are sufficient for the illustration.

Every effort, no doubt, ought to be made, and on my part will be made as fast as possible, to put this and every other matter in its proper and regular train; but time is requisite, and the organs which depend on administrative authority must first be instituted.

The Treasury as well as the War Department has too often experienced the necessity of accommodating relaxations in special cases, not readily to admit upon reflection that they are right in the existing position of our new army.

As to the persons, who are to muster the twelve regiments, they are, by my direction, the commandant of the regiment and the surgeon, or person officiating in that capacity. It seems to me that till inspectors are appointed, nothing could be done which would promise greater security to the public. I did not like to multiply agents; I consider that this is substantially conformable

to the instruction from the Treasury, and will be so understood; if not, you will please to inform me.

With great respect, I have the honor to be, sir,

Your obedient servant, &c.

HAMILTON TO SWAN.

NEW-YORK, September 22d, 1799.

SIR:

Having forgotten the circumstances known to me when at the head of the Treasury Department, that forms of muster and pay-rolls had been prescribed by the Comptroller of the Treasury, I instructed the Assistant Adjutant-General to devise forms of those documents, and to transmit them to the several commanders. You will find herewith the forms thus prescribed, with a letter from the Adjutant-General, explaining the differences with the reasons of the alterations. Brevity was the principal motive of them. In all military documents it is peculiarly desirable to consult conciseness as far as it may comport with perspicuity and accuracy; military men in the midst of active operations have very little leisure for writing.

Having observed thus much, I shall only further say on this point, that I have no predilection for the new forms; and am perfectly content that the old shall continue with or without modification to meet such of the alterations as may be deemed improvements.

But the essential point is to have the officers, without delay, furnished with those forms which it is expected shall be observed, accompanied with the requisite instructions for carrying them into execution.

To this end I have issued the order of which the inclosed is a copy, and I expect that you will without delay send the several paymasters and persons acting as such, the forms and instructions.

Till you have a deputy, it appears to me regular that your communications ought to be with this description of persons.

When you have or shall have a deputy, it is and will be proper for you to communicate with him, and he with the officers in question. I may add, that wherever a particular officer receives money from your department for which he is accountable, you or your deputy may, with propriety, hold a direct communication with him, whatever be his station.

But it is proper that correspondence and communication between your office and the military should be restricted to the purposes of this description, except when for any special reason you find occasion to communicate with the commanding-general or other commander of an army, or within a great military district.

The pointing out at an early period this course of proceeding, is dictated by a love of regularity, to which nothing is more conducive than great strictness in the modes of communication between officers. With great consideration, &c.

HAMILTON TO WASHINGTON.

NEW-YORK, Sept. 23d, 1799.

DEAR SIR:

I had the pleasure of receiving in due time your letter of the 15th instant. The suggestions it contains will be maturely weighed. I postpone any thing definitive until the return of General Wilkinson, which is momentarily expected. The other documents besides No. 8, which accompanied his letter, were not material to the consideration of its contents, or they would have been forwarded. Even No. 1 does nothing more than exhibit in the form of a table, the propositions which are found in the letter. I was afraid of burthening you with papers which did not necessarily require your attention, being matters of mere detail.

Inclosed is a letter of this date to Colonel Parker about winter quarters, for the eighth, ninth, and tenth regiments. It is late to begin, but you will perceive in it the cause of the delay.

It is extremely desirable that you would be pleased to take the direction of this matter, and to have the business done in such manner as you shall deem eligible. Not having a right to presume that you would choose to take the charge of it, I have adopted the expedient of addressing myself to Colonel Parker. But perhaps you may think of some preferable agent, in which case you will be so good as to retain the letter, and give complete directions to such other agent. Compensation and the defraying of his expenses need not be obstacles.

At any rate, I hope you will not find it inconvenient to instruct Colonel Parker to conclude a bargain for such place as upon his reports to you shall be in your opinion eligible. It is very necessary that these young troops should be early covered. Collateral ideas with regard to Harper's Ferry as a place for arsenals and magazines, may perhaps be combined. These will more readily occur to you than to me.

With true respect and attachment, &c.

P. S. Scotch Plains, near Bound Brook, will be fixed upon for the 11th, 12th, and 13th regiments. A very eligible spot of about ninety acres is offered there at fifty dollars per acre for the fee simple. It affords the advantage of a good summer encampment also, with a prospect of a supply for years of fuel and straw at cheap rates; and the convenience of a pleasant and plentiful surrounding country.

Search has been for some time past making for a suitable position for the three most northern regiments, in the vicinity of Uxbridge or Massachusetts.

WASHINGTON TO HAMILTON.

MOUNT VERNON, 29th Sept., 1799.

DEAR SIR:

Your letter of the 23d instant was received the 27th, and this day will proceed in the mail to Winchester, the nearest post town to Col. Parker's residence; if he should be at his own house, the letter is inclosed for him. There being no person in my view more eligible than Col. Parker to carry your instructions into effect, unless Col. Carrington had been in office as Quarter-master-General, I had no hesitation in forwarding your letter to him, with such sentiments as occurred to me on the subject, which differed in no essential point from those you had given.

I confined him more pointedly than you had done to the site near Harper's Ferry for his winter cantonment, because very cogent reasons, in my opinion, required it; for, besides possessing all the advantages enumerated in your letter to him (so far as my recollection of the spot and information goes), being in a fertile and most abounding country, and one of the strongest positions by nature perhaps in America, it appeared to me that the encampment and arsenal which is established at that place might mutually assist and benefit each other. If the States are wise enough to keep united, I have no doubt of this arsenal being their principal place of arms and best foundry, as it is in the midst of furnaces and forges of the best iron, can receive at and transport from it by inland navigation all its wants and manufactures in every direction, and is indubitably, supposing the advantage of water transportation out of the question, altogether, the great highway to the country on the river Ohio.

For the reasons I have assigned, I did not hesitate a moment in giving the vicinity of Harper's Ferry (at the confluence of the rivers Potomac and Shenandoah) a decided preference; but, if I am not mistaken, another strong inducement is afforded, namely, that there is a sufficiency of land purchased for the purpose of the arsenal to accommodate both objects. Of this I have informed Col. Parker, but, as Mr. Lear is from home (who was

the agent for the War Department in the purchase), I could not inform him with certainty. If the fact, however, should be as I suspect, it will prove a most fortunate circumstance, as well in the article of expense as in the time that will be gained in completing the huts. If it should be otherwise, I have advised Col. Parker to hold out to view and examine many places, while he, by some agent, is endeavoring to possess himself by purchase of the site near Harper's Ferry, without which he might be imposed on in the price of the land.

With very great esteem and regard, &c.

HAMILTON TO COL. MOORE.

NEW-YORK, Sept. 30, 1799.

SIR:

I have received your letter of the 28th instant, and shall make but one inquiry more with respect to the unfortunate affair between Lieut. ——— and Capt. ———. You will be so good as to inform me of the particular subject on which the political dispute turned, and of the principles that were maintained by the respective parties. The information I am anxious to receive.

I am pleased with the pains you have taken to discourage a repetition of such instances. If examples were wanting to illustrate the pernicious effects of drinking to intoxication, the present unfortunate affair would be a very instructive one. How necessary is it, as well by the means which affect the pride and delicacy of officers as by those which are furnished by the principles of discipline, to discountenance so ungentlemanly a propensity. You have the leave of absence which you request.

HAMILTON TO M'HENRY.

NEW-YORK, October 8, 1799.

SIR:

The following arrangement as to huts, appears to me expedient. Each hut to be fourteen by sixteen feet for all but the field officers. One hut for twelve privates or eight non-commissioned officers. One hut for each captain, and each of the regimental staff. One hut for every two subalterns. A hut for a lieutenant-colonel, of fourteen by twenty-four feet; and for each major, of fourteen feet by twenty-two feet. One hut as a kitchen to every mess of officers, and to each field officer.

It is contemplated that the huts be roofed with boards, unless where slabs can be had very cheap. The Albany board being always fourteen feet in length, and this being from convenience a pretty common length of other boards, it has had some influence in determining the size of the huts. Boards will also be wanted for bunks. Such of the boards as can be preserved entire, may be afterwards sold for nearly their cost. The slabs would be worth little more than mere fuel.

I send you an estimate of carpenters' tools, requisite, in the opinion of General Stevens, (who is a *professional* judge,) for hutting a regiment.

It is important that your sense of the matter should be received without delay, as time begins to press.

In the execution of the plan, slight deviations may be expedient (with reference to the kind of material, &c.) to fulfil the general views of the plan.

As soon as your sense shall be signified, I shall proceed to order provision to be made, except of such articles as you shall inform me are already procured, or to be procured elsewhere.

I presume carpenters sufficient will be found in each regiment to conduct the roofing, &c., but the service being irrelative to their established duty, there must be some extra compensation. It may, however, in some cases be necessary to engage a

few additional hands of this description. In every thing, however, economy, as much as possible, will be consulted.

With great consideration and respect,

I have the honor to be your obed't serv't.

HAMILTON TO ————.

NEW-YORK, October 4th, 1799.

SIR:

Inclosed is a duplicate of my letter of the , by which you are instructed to purchase ground for the purpose of winter quarters. I am now to request that you will immediately require of the contractors to procure, on public account, the number of boards or slabs, or both, which you shall deem sufficient for two complete regiments, with their officers, and for the floors of the huts of the officers, and for bunks for the non-commissioned officers and privates. It is contemplated that the latter will dispense with flooring, as was done during the late war, or will make the floors out of the fragments of wood, cut from the premises; and that the commissioned officers, as usual, will be provided with their own camp beds and camp stools. Nails must also be procured at the rate of pounds to a full regiment.

You are already informed, that three regiments are to quarter together; but it is supposed that these, during the present winter, may not average more than 400 each. If it is found that they will exceed, the provision will be extended. Sufficient ground must be allotted in each case for a complete regiment.

The following dimensions for huts are conceived to be the most eligible, viz.:

Those for the non-commissioned officers and privates ——.

Those for the company officers, ——.

Those for lieutenant-colonels commandant, ——.

Those for majors, ——.

One hut is to be allowed to every twelve corporals or privates.

One to every eight sergeants, with the two chief musicians.

One to each captain, and each of the regimental staff.

One to every two subalterns.

One to each field officer, and

One as a kitchen to each mess of officers, and to each field officer.

The number of Albany boards of fourteen feet in length, and inches in breadth, which are estimated to be necessary for the huts of a regiment, in respect to the above mentioned particulars, is ——. While this is mentioned as a guide, the number must of course vary with the dimensions of the boards, which are made in your quarter, and with the more or less of use which shall be made of slabs.

In this quarter, boards have been preferred, because they can be afterwards sold for nearly their first cost; while slabs (the price of which would be about two-thirds of that of boards) could not be sold again but as fuel.

It is possible that in the vicinity of the place for your quarters, slabs may be obtainable at so cheap a rate as to render them preferable in the view of economy to boards.

This is submitted to your judgment; but it would be agreeable that you should first confer on the subject with the agent of the War Department.

The dimensions of the huts have been somewhat influenced by the length of Albany boards, and by the desire to preserve them, in order that they may be in a condition to be sold again, with little or no loss. If the size of your board should be different, you are at liberty to vary the dimensions of the huts of the non-commissioned officers and privates with the same view. This will lead to a different distribution of persons to each hut.

The number *twelve*, however, appears to me to be an eligible standard for a mess. Experience in some of the European armies has proved that large messes, by promoting savings, tend to the comfort of the troops. And in the formation which I contemplate for the full complement of a regiment, twelve will form the smallest subdivision. Hence I should not wish the dimen-

sions to be altered, unless for some material inducement of economy.

The huts of the non-commissioned officers and privates should be in one line of the company; officers in another, fifty feet distant; and of the field officers in a third, fifty feet distant from the last. The distance may, however, depend on the form of the ground.

Particular care must be taken that there be no waste of timber or wood. The present may not be the only winter in which the troops may be quartered at the place intended. E. Stevens, Esq. has been instructed to procure and forward a supply of carpenters' tools. It is presumed that men will be found in the regiments who can execute such parts as may require a degree of carpenters' knowledge.

The senior of the lieutenant-colonels commandant, (who I presume is yourself,) by the rules lately promulgated, will assume the command. If I am mistaken in supposing you to be the senior, you will inform me of it. If it be another, you will write to him accordingly, giving him a copy of this letter for his government, but you will nevertheless go on with the preparatory measures.

The men already recruited are to be drawn as fast as possible to the place of their winter quarters, and are to be put under cover without delay. Such as may be successively recruited are also to be drawn thither; and for this purpose an extra provision of materials for huts is to be made by the men who may be first on the ground. But the recruiting service is still to proceed, until each regiment shall be carried to its complement. Accordingly, after assigning a proportionate number of officers to the command of the men already enlisted, the others are to continue on the recruiting service in their respective sub-districts.

You will immediately inform Colonels Hunewell and Graves, of the precise plan of winter quarters.

HAMILTON TO COLONEL MOORE.

NEW-YORK, October 6th, 1799.

SIR:

It is afflicting to learn that such a dispute as you state in your letter of the 3d instant should have occurred between two officers of the American army. Particular attachment to *any foreign nation* is an exotic sentiment which, where it exists, must derogate from the exclusive affection due to our own country. Partiality to France at this late day is a bad symptom. The profession of it by Captain ———, in my opinion, does him no honor. How far it ought to impair confidence, must depend in a degree on personal character. But as often as a similar bias is manifested, the conduct of the person ought to engage the vigilant attention of the commanding officer. I hesitate as to what my duty requires on the occasion, and must think further of the matter. You will be pleased to ascertain, and inform me whether Lieutenant ——— be an American citizen or not. You will receive another letter of this date on the subject of winter quarters.

With confidence and esteem.

HAMILTON TO M'HENRY.

TRENTON, October 12th, 1799.

SIR:

It is now time to contemplate the distribution of the troops of the United States into divisions and brigades. The arrangement which appears to me expedient for the present is this: "That the four old regiments shall form one division and two brigades; the twelve new ones, two divisions and four brigades.

The very great sphere of action to which the former are destined, including important and complicated objects, appears to me to render it expedient that not more than two regiments shall

constitute a brigade. But the latter, till there should be actual service, when the system supposes that the number of each regiment would be increased, may, for the mere purposes of discipline, be conveniently formed three to a brigade. The disposition for winter quarters accords with this idea.

Correspondent officers should be appointed, who are principally generals, quartermasters, and inspectors.

The latter are of the competency of the inspector-general, who will proceed without delay to make the appointments.

If the non-appointment of the quartermaster-general, provided for by the Act of the 3d of March last for the better organizing of the army, or the absence of the former quartermaster-general, be an impediment to the regular course of constituting a deputy quartermaster-general to each military district, and division and brigade quartermasters, a substitute must be adopted.

Usage, founded on necessity in similar cases, would authorize each commanding general to designate persons provisorily to perform the duties. But he cannot annex the extra compensation, and without this, or the expectation of it, the business would labor.

I request your interposition. I deem essential the immediate appointment within my command of a deputy quartermaster-general, and one division and two brigade quartermasters; and I will observe incidentally, that the same thing must be requisite within the command of General Pinckney.

As to generals, the President must decide. With the Western army there is no major-general and one brigadier. Two brigadiers were appointed for the additional army, but no more than one is understood to have accepted. I am anxious that the deficiency should be supplied. The discipline of the troops ought to be accelerated. It must suffer more or less as often as one organ is transferred from its proper situation to another. I entreat a prompt decision on the subject of quartermaster.

HAMILTON TO M^cHENRY.

TRENTON, October 12th, 1799.

SIR:

I have the honor to transmit the plan which is conceived to be proper for the disposition of the four regiments of the permanent establishment. It is the result of communications with General Wilkinson and the Commander-in-Chief, and accords with the opinion of the latter.

The principal objects of this plan are:—1. The distribution of the troops by corps in contiguous relative positions, keeping the men embodied under their own officers, and making the commandants of regiments and battalions to superintend their respective corps; an arrangement no less favorable to the convenience and regularity of supply than to the order and discipline of the troops. 2. The reduction of the number of posts; some of which, however useful when originally occupied, can, under existing circumstances, answer no valuable purpose, but tend to subdivide too much our inconsiderable force, and to increase the difficulty and expense of supply. 3. The obtaining of a reserve force, which, being stationed in a central position, will bear upon various points either for succor or attack, and by its concentration will be capable of discipline and ready for active and efficient efforts. 4. The promotion of economy, by lessening the garrisons of some of the most remote stations, and bringing a principal part of the force to a situation where it can be supplied with comparative cheapness.

In judging of the effect of the plan in the last view, it is necessary to advert, that the present low state of the corps, in point of numbers, is not the criterion. In the natural order of service, the recruits would reinforce them several companies, and in this case the actual distribution of the troops would give to posts in the most expensive situations greater numbers than are allotted to them by the present plan.

The reduction of the garrison of Michilimackinac, in particular, has been very much influenced by the consideration of

economy. This motive was the more readily yielded to, as it is not perceived that a greater number there, if bearing any proportion to the whole force which we have to employ in the western quarter, would answer any better purpose than the number proposed to be continued. This number will serve to occupy the point as one of the portals of the country, and to cover the few white inhabitants there settled. In a suitable fortification, especially as the site is an island, it may effectually resist Indian attack; and any greater number which could be spared, could neither act offensively against them, nor maintain themselves against serious attack from our English neighbors. In the last supposition the increase of number, from the impracticability of reinforcement and succor, would only serve to increase loss.

It is not understood that the station procures to us at the present juncture any commercial advantage, but in this respect is principally convenient to the British traders in peltry, who, in their intercourse with the neighboring Indians, have a rendezvous at this place.

The primary inducement to us to keep a post there is, as before intimated, to retain the occupation of what may be considered as one of the portals of our northwestern territory, and to avoid the appearance to the Indians of an abandonment of that part of the country. It contributes also, in some degree, to an influence over the tribes connected with Lake Michigan; and in time to come it may be an encouragement to the enterprises of American traders. But all these ends will, it is conceived, be accomplished by a small force.

The force now upon the lower parts of the Mississippi will also be reduced.

It is conceived that the number contemplated by the plan will be sufficient to garrison and maintain the forts which ought at this time to exist in that region, to impress with due respect the adjacent Indians, to give reasonable protection to the inhabitants, and to keep such of them as may have foreign attachment in check. A greater number would be inexpedient, because any number which the state of our military establishment would permit to be stationed there would not be adequate to the repelling

of a serious attack from our neighbors, and, being out of the reach of succor, would, for that reason, be in imminent danger of total defeat and loss; while it would be still more inadequate to an offensive operation, and, by its proximity, would be likely to create alarm and occasion reinforcement.

In the event of an invasion from below, our reserved force placed on the *Ohio*, reinforced by the militia, to which it would be a rallying point, can descend to meet it with effect, or can take such other measures as circumstances may dictate. If a rupture with Spain should induce us to become the invaders, the force assigned to the undertaking can rapidly descend the Mississippi, and, being at a great distance, will have a better chance of making its approach and of arriving unexpectedly, than if stationed at a place which by its nearness would excite jealousy and vigilance.

But I agree in opinion with General Wilkinson, that a strongly-fortified post ought to guard our extremity on the Mississippi. It will not only serve as an impediment to invasion by the Spaniards, but will have an impressive influence on the powerful tribes of Indians in our southwestern territory. Loftus's Height (where you are informed a fortification is begun), according to the description and plans communicated by General Wilkinson, is peculiarly designated as the proper site of such a post. It is near our southern line, by much the highest point in an extensive district of country, and commands the narrowest part of the river. The dimensions of the summit are understood to correspond with a fort which may be defended with about two hundred men, and which would protect the batteries in advance towards the river, and in other directions. I concur in the expediency of occupying this height with a regular fortification of stone or brick, garnished into the proper exterior batteries. Bricks, I am assured, are easily made in the vicinity. Inclosed is an estimate of the probable expense. Though by no means an advocate for multiplying, in the present circumstances of the country, the number of our fortifications, already too great, I entertain no doubt of the expediency of the one in question, and the object is well worth the probable expense.

It will be seen that a battalion is assigned to the care of this fort, and of another now possessed on the Mobile.

The propriety of continuing the latter post may, however, depend on circumstances. It is useful for the protection of an existing settlement, and will add to the influence of our establishment upon the minds of the Indians; but the supply of it is difficult and expensive, and it is now effected through the Spanish territory. In case of a diminution of amity with Spain, that circumstance would compel to a removal, unless another channel can be conveniently opened. Indeed, if this cannot be shortly done, it will hardly be proper to retain the post. The duration of the arrangement, in this particular, may, therefore, be considered as contingent.

The position which has been chosen for the reserve corps has various aspects. It looks to the succor of the more northern as well as the more southern posts, and will be likely to control efficaciously the northwestern Indians; it has an eye to a cooperation with the troops in the State of Tennessee, whenever a good communication shall be established, which is conceived to be an object of pressing moment; and it is convenient for a descent by the river Mississippi, for offensive operations against our neighbors on the south, if future circumstances should recommend them. But, as well with a view to defence as offence, it is deemed requisite to prepare and keep ready below the rapids of the Ohio a number of boats equal to the transportation of three thousand men, with baggage, stores, provisions, artillery, and other apparatus. The number and the estimate of their cost will be found herewith.

A firm occupation of the straits which connect Lake Erie with the Huron and Ontario, appears to me a material point. It is doubtful whether the posts now on those straits are the best adapted to that end either as to local situation or construction. But unfortunately the want of a skilful engineer, (a very painful circumstance in our military affairs,) is an obstacle to the due examination of this point. It is, nevertheless, one which must be attended to, as early as shall be practicable. It would seem to me desirable ere long to have on each strait, a work suited to

about a thousand men, with an interior work in the nature of a citadel, adapted to about two hundred. These might be expected to secure the place against a *coup de main* with a small force, and the growth of settlement in the vicinity will soon furnish through the militia the means of augmenting the garrison upon a sudden emergency. The good understanding which at this time subsists between the United States and Great Britain, justifies an arrangement less efficient than that just intimated. But the permanency of friendship between nations is too little to be relied upon not to render it prudent to look forward to more substantial precautions than are immediately meditated. You will likewise have observed that particular attention is paid to Massac. In my opinion very cogent and comprehensive reasons render it the policy of the United States to secure and command the confluence of the Tennessee and Cumberland rivers with the Ohio, and of the Ohio with the Mississippi. To this end respectable fortifications, to be gradually executed, are necessary.

The leading motives to the plan, which I have the honor to transmit, have been sketched; considerations not mentioned will readily present themselves to your reflections as having operated on parts of the plan. Among these, the maintenance of the troops on moderate terms, has not been overlooked in the choice of the principal station.

Nothing particular has been said as to the regiment allotted to General Pinckney's command, because the disposition of it belongs to him.

But the plan which I offer requires your interposition to give it effect within the limits of that officer's district. There are now there a regiment and part of another. An instruction from you is necessary to incorporate the men so as to form one full regiment—marching the overplus to Harper's Ferry, to be sent in the spring to the Ohio.

The fourth regiment will naturally be that to be assigned to Tennessee and Georgia. The men of the third, now in Georgia, can continue there, but transferred to the fourth. These, with those at present under Colonel Butler, in Tennessee, will make a full regiment. And the recruits, under Major Bradley,

may at once be sent to Harper's Ferry. In the course of the winter the officers of the third, in Georgia, can repair to Harper's Ferry, and a sufficient number of those of the fourth can replace them in Georgia.

An arrangement for the officers of the four old regiments is now submitted to your consideration; when approved, no time will be lost in bringing officers and men together at the several stations. At present they are extremely mingled and confused; officers of one regiment are with the men of another, and so great is the disorder that I am assured that in one instance two companies are mustered to the same captain—I allude to the case of Captain ——.

It is alike important and urgent to be enabled to carry this arrangement into execution, or with such alterations as you may think fit to prescribe. The advanced state of the season renders it necessary that General Wilkinson should depart without delay. This he cannot do until he receives my instructions, and these cannot be given to him until I shall receive your answer to this communication; my antecedent authority not being commensurate with all the objects contemplated, and the Commander-in-Chief having confined himself to advice without giving directions.

With perfect respect and esteem, I have the honor to be, sir,

Your obedient servant, &c.

Plan for the disposition of the four regiments of the permanent establishment, (as the result of communications with General Wilkinson and the Commander-in-Chief.)

One regiment to be stationed partly in the State of Tennessee, and partly in proper positions for the protection of the frontier of Georgia, not extending farther westward than the Apalachicola river. This regiment to be attached to the command of General Pinckney. The part in Tennessee to be by him instructed in any great and sudden emergency to co-operate with General Wilkinson.

The other three regiments to be under the immediate command of General Wilkinson, and to be stationed as follows, viz.

1. A battalion of infantry, a company of artillerists, at *Niagara*, *Detroit*, and *Michilimackinac*; thus distributed:

To Niagara.—Two companies of infantry, and a half company of artillerists.

Detroit.—Three companies of infantry, and one company of artillerists; to furnish for * * * *

Michilimackinac.—A subaltern, two sergeants, twenty-four rank and file infantry, and a sergeant and twelve artillerists.

2. A battalion of infantry, and a company of artillerists, at Fort Wayne, Fort Fayette (Pittsburgh), Massac, and Fort Pickering; thus distributed, viz.—

To Fort Wayne.—A company of infantry and a quarter of a company of artillerists.

To Fort Fayette.—A company of infantry and a quarter of a company of artillerists, to detach to

Presque Isle.—One subaltern, one sergeant, one corporal, and fifteen privates.

To Massac.—Two companies of infantry, and half a company of artillerists; to detach to Fort Pickering a sergeant and six artillerists.

Fort Pickering.—A company of infantry, and a sergeant and six artillerists.

3. A battalion of infantry, and a company of artillerists, at Fort Adams and Fort Stoddart; thus distributed, viz.—

To Fort Adams.—Four companies of infantry, and a company of artillerists; the latter to furnish a detachment for Fort Stoddart.

To Fort Stoddart.—A company of infantry, and a sergeant and twelve artillerists.

The reserve force, consisting of a regiment and a battalion of infantry, two troops of horse and half a company of artillerists, to be stationed at some *point*, from Cincinnati to the Rapids of the Ohio, inclusively.

[It is further contemplated that two regiments of infantry, a battalion of riflemen, and a regiment of cavalry of the *eventual* army, be organized in Tennessee, Kentucky, the North and Southwestern Territory.]

HAMILTON TO WASHINGTON.

NEW-YORK, Oct. 21st, 1799.

SIR:

I have the honor to acknowledge the receipt, two days since, of your letter of the 15th instant; at which time, also, I received one from Colonel Parker, informing me of the selection of ground which he had made.

You will see, by the inclosed letter to him, the impression which his communication has made on my mind.

I trust it must be erroneous, since my supposition does not agree with the spirit of his instructions, either from you or myself, nor with the manner in which you seem, by some expressions in your letter, to understand that he has executed them. But as it is possible the mode of execution may not have been sufficiently explained to you, I cannot entirely dismiss my apprehensions.

If the plan of barracks has, in fact, been substituted, I must once more entreat your interposition. You will judge whether there is yet time to rectify the mistake, and procure a more suitable position; or whether, making an arrangement at the place which has been fixed upon for the eighth regiment only, it will not be best to vary the destination of the others—sending the ninth to the barracks at Fredericktown, in Maryland, where, I am very lately informed, there are buildings sufficient for a regiment, belonging to the State, which I presume may be borrowed; and the tenth at Carlisle, in Pennsylvania, where I am assured there exist buildings, the property of the United States, which will accommodate a regiment. Both these regiments have been directed to march for their destination, by way of Fredericktown, and the tenth to Yorktown, there to receive further orders.

Permit me to ask that you will be pleased to give these further orders, according to your determination, to which every thing is respectfully submitted.

Knowing that it is not agreeable to your general plan, to take charge, at present, of military operations, I am bound to apologize for the trouble I give you. But my unexpected and late agency in the affair, and the advanced state of the season, leave me no alternative.

With perfect respect, &c.

HAMILTON TO M'HENRY.

NEW-YORK, October 22d, 1799.

SIR:

It gives me pleasure to learn from your letter of the 16th instant, which was received yesterday, that the leading principles and objects of the plan communicated in mine of the 13th, are approved.

In every disposition of the troops in the western county, the primary views of the government, as indicated by you, will be carefully attended to.

The surmise as to leaving an additional battalion for Tennessee and the frontiers of Georgia, has induced a reconsideration of that part of the plan. But my opinion continues unaltered. Our entire force, which, from the terms of engagement, can be applied to the purposes of our northern, western and southern frontiers, is manifestly inadequate. All that can be done is, to make such a disposition of it as will bear a proportion to the different objects.

Comparing those which are to be provided for on our northwestern and southwestern frontiers, including the intermediate country, with those which demand attention in the other quarters, and taking into the view the greater facility of reinforcement in the one case than in the other, a regiment for Tennessee and the frontiers of Georgia is an ample proportion. If the regiment can be kept full, which can easily be done, there will, I believe, be a greater real force, than there has been in time past. This point, of course, ought to be looked to. The addition of a battalion would very essentially interfere with the idea of a reserved force on the Ohio, large enough to be in any degree efficient. And this is deemed on all hands a cardinal object in the disposition to be made.

I shall be happy to learn that these reasons are deemed satisfactory, and that immediate measures will be taken in conformity. For these measures I refer to the suggestions in my former letter.

HAMILTON TO M'HENRY.

NEW-YORK, October 25, 1799.

SIR:

I have the honor to transmit the proceedings of a court-martial lately holden at Fort Fayette, of which Major Stevenson was president, to be submitted to the President of the United States for his decision.

No peculiar circumstances appear in it. I can only observe that it probably proceeded from some knowledge of personal character in the court, and from the conviction of the necessity of examples.

There are other cases now pending before the President, arising in the western country.

One execution, at present, in that scene may suffice; and pardons granted in the others.

The President may either select, guided by the circumstances which appear; or leave the selection to the officer commanding the western army.

HAMILTON TO M'HENRY.

NEW-YORK, October 25, 1799.

SIR:

Lieutenant Campbell Smith has made a representation to me, on the subject of some claims which he has pending in the accountant's office, and has requested the interposition of my opinion.

Thinking it due to him as an officer now under my command, I trouble you with this letter.

He states that he has claims of two kinds; one for services rendered for more than two years, as judge advocate, previous to the law authorizing that appointment, another for the legal

emoluments of the office, in virtue of an appointment of the commanding general, on the cases of that law; that having been absent in consequence of ill health, induced by a severe wound received in the service, obstacles have occurred to the allowing of the compensation during the term of such absence; that the Attorney-General has given an opinion that the appointment was a regular one under the law, and that he understands this opinion to have been heretofore acted upon by your department.

Upon these data I submit my ideas.

I consider it to be a principle sanctioned by usage, that when an officer is called to exercise, in a *permanent way*, an office of skill in the army (such as that of judge-advocate), for which provision is not made by law, he is to receive a *quantum meruit*, by special discretion, *for the time he officiates*, which, in our present system, would be paid out of the fund for the contingencies of the War Department.

This applies to the first claim.

As to to the second, this is my opinion: That, considering the appointment as regularly made under the law, the emoluments continue, of course, until the office has been abdicated or suspended—the non-exercise of it for any period to the contrary, notwithstanding. In the situation in which Lieutenant Smith was placed by his wound, he would seem entitled even to a liberal application of this rule of right.

CHARLES COTESWORTH PINCKNEY TO HAMILTON.

ELIZABETHTOWN, Oct. 25, 1799.

DEAR SIR:

I arrived at this place this afternoon from Rhode Island, via Paulus Hook. Mrs. Pinckney has sustained the fatigue of the voyage and the journey better than I expected. She is, however, much tired, and I shall not be able to leave her to-morrow; but I trust she will be so much recovered as to enable me to pay my

respects to you on Sunday. If that should not be the case, I will wait upon you the first day I can with propriety do so. The envoys are then to sail. I presume this must be a very deep measure;—much too profound for my penetration.

I always am yours very sincerely.

WASHINGTON TO HAMILTON.

(PRIVATE.)

MOUNT VERNON, 27th Oct., 1799.

DEAR SIR:

To my official letters I refer you for my communication with Colonel Parker. I have no conception, however, that such difficulties as are enumerated in his and Mr. Mackie's letters, can exist in the erection of simple huts, (such as served us last war,) and so I am about to inform the former.

I am averse to the separation of the eighth, ninth, and tenth regiments under any circumstances which exist at present;—and still more so to the distribution of them into *three States*. If they cannot all be accommodated at Harper's Ferry, the barracks at Fredericktown (if sufficient to contain two regiments) is to be preferred, vastly, to Carlisle; forasmuch as it is only twenty miles from the arsenal, which is in great forwardness in the former place, and because fuel alone at either Fredericktown or Carlisle for the winter, would double all the expense of the establishment at Harper's Ferry. I have gone thus far into this business, and have given these opinions, because you desired it; and because from the peculiar situation of things, it seemed, in a manner, almost indispensable. But I wish exceedingly, that the state of Mrs. Pinckney's health, and other circumstances, would permit General Pinckney to come forward, and on his own view to decide on matters. To engage partially in military arrangements, is not only contrary to my original design, but unpleasant in its nature and operation; inasmuch as it incurs responsibility without proper means for decision.

With respect to Major Campbell, or any of those who are applying for appointments in the Inspectorate, I have no predilection whatsoever towards them; handing in their names, with the testimonials of their merit and fitness as I receive them, for information only is all I have in view.

The purport of your (private) letter of the 21st, with respect to a late decision, has surprised me exceedingly. I was surprised at the *measure*, how much more so at the manner of it? This business seems to have commenced in an evil hour, and under unfavorable auspices; and I wish mischief may not tread in all its steps, and be the final result of the measure. A wide door was open from which a retreat might have been made from the first *faux pas*, the shutting of which, to those who are not behind the curtain, and are as little acquainted with the secrets of the cabinet as I am, is, from the present aspect of European affairs, incomprehensible. But I have the same reliance on Providence which you express, and trust that matters will *end well*, however unfavorable they may appear at present.

With very great esteem and regard,
I am, my dear Sir,
Your most obedient and affectionate,
GEO. WASHINGTON.

HAMILTON TO ADAMS.

NEW-YORK, Oct. 29th, 1799.

SIR:

I shall with pleasure obey the command contained in your letter of the 17th instant, and shall accordingly inform the Governor that I am ready to proceed in the execution of the measure.

HAMILTON TO M'HENRY.

NEW-YORK, October 29th, 1799.

SIR:

General Wilkinson has furnished me with the inclosed estimates of the cost of the water-battery, barracks and magazine, which have been undertaken at Loftus's Height; and he gives it as his opinion by analogy, but without detail, that the cost of the fort proposed to be erected at the same place, will about equal the sum of these estimates, say 16,000 dollars.

I send you an estimate which I have myself made, aided by the information of prices which the estimates above referred to exhibit, which makes the cost considerably less.

Yet, relying on General Wilkinson's better knowledge of local circumstances, I have authorized him to erect the work within a limit of expense conformable to his own calculation, unless, previous to his departure for the Mississippi, he should receive a negative from you, or by your direction. The provision for the supplying of the fund may require your interposition. But regarding it as very urgent to have the work proceed during the cool season, I have desired him, if a fund is not otherwise provided, to cause the deputy or other representative of the quartermaster-general at his head-quarters, to draw and negotiate bills upon the assistant quartermaster-general at the seat of Government, which bills he is to indorse thus: "Approved. James Wilkinson, Brigadier-General."

Inclosed is likewise an estimate of the cost of boats for transporting down the Mississippi three thousand men, founded on a communication from General Wilkinson.

It exceeds greatly the sum I had been led to compute from anterior verbal information, and as the boats will be liable to perish, I cease to recommend the measure as one immediately to be adopted. It may perhaps be hereafter deemed advisable to pursue it in a more limited extent, but I beg leave to refer the matter to further consideration.

Every thing is doing to get ready the vessel which is to trans-

port artillery and stores. A passport from the President, showing the nature of her errand, is submitted as a precaution dictated by prudence.

It will likewise, no doubt, be considered by you whether you will not direct insurance to be made. As there is to be a convoy, and it is the property of government, it is probable that the insurance may be effected at a moderate premium.

As the idea of an additional battalion for Georgia and Tennessee is only surmised in your letter, and as you have not replied to my last communication on this subject, I conclude that the original plan is to take effect, and have framed my instructions to General Wilkinson on this supposition.

General Pinckney was here yesterday. I showed him the plan, and my letter to you in which it was sent. He expressed without reserve his satisfaction.

HAMILTON TO WILKINSON.

NEW-YORK, October 31, 1799.

SIR:

The copious explanations which have been had between us in conversation, on the subjects of your several communications of the 6th of September, 12th, 15th, 19th and 27th instant, will abridge the observations naturally connected with the plan which has been adopted as the result, and which forms the object of the present instruction.

This plan, as you know, has the same basis with that which has been presented by you. As far as there may be variances in the application of principles, collateral considerations have chiefly influenced.

It is contained in the inclosed paper, A. The letters between the Secretary of War and myself, of which B, C, D and E are copies, exhibit the views which have reciprocally governed. In the execution of this plan, many details arise which I do not en-

ter into, because they will most properly be left with you. Neither would I be understood to require a literal execution. The great outline is, under existing circumstances, to be adhered to; but you are at liberty to deviate in details which do not contravene the leading objects.

I will only remark, that it is deemed material that no greater force than the plan contemplates shall be assigned to the posts below the confluence of the Ohio with the Mississippi; and that the reserve force shall not be stationed more westward or southward than the vicinity of the rapids of the Ohio.

That vicinity, as passing the obstacles of the navigation above and facilitating a communication with the posts below, presents itself to consideration.

A question arises, whether the north or the south side of the Ohio should be preferred. In favor of the latter is the important consideration, that by the contract for the ensuing year the ration is at least two cents and eight mills cheaper there than on the north side. On the other hand, it is possible that the troops there may be exposed to vexations, and in danger of seduction from the acts of disaffected persons, which might not attend them in the opposite territory; but these inconveniences do not appear likely to be so great as to countervail so considerable a difference in the price of the ration, though they might be allowed to prevail against a small difference. Unless, therefore, there should be some important alteration in this particular, I recommend to you the south side for the station of your reserve force.

It will be my endeavor to engage the administration to organize in Tennessee, Kentucky, the north and southwestern territories, two regiments of infantry, a battalion of riflemen, and a regiment of dragoons, under the act which provides for an eventual army. This, if effected, may afford a powerful auxiliary for defensive or offensive measures, as future exigencies may dictate.

The recruiting for the corps of which your command is to be composed, demands and has my particular attention. You are apprised that the business is going on under Major Bradley in North Carolina and Virginia, under Major Cass in the State of

Delaware, and under Major Buel in the State of Vermont. In addition to this, I have proposed to the Secretary of War to send to the westward bounty money and clothing for re-enlisting and recruiting to the extent of a full regiment.

There are small detachments of recruits for the infantry of the permanent establishment at Norfolk in Virginia, Fredericktown in Maryland, and at West Point in the State of New-York, which, as soon as practicable, will reinforce the army under your command; and exertions, efficacious as I trust, will be made to complete the force allotted to you, and to have it on the ground early in the next temperate season.

The new organization of the officers of the four regiments, which you have suggested, has been transmitted to the Secretary of War, with an expression of my opinion in its favor. If you hear nothing to the contrary from that officer previous to your departure for the Mississippi, you will consider the plan as ratified —you will give it effect within your command. If, however, in the execution you find small deviations expedient, you will make them, reporting to me the instances and the motives.

The inspectors of division and brigades, recommended by you, are appointed. The affair of judge advocate, has not yet been definitively acted upon.

The propriety of strongly fortifying Loftus's Heights, being on all sides admitted, so far as the force which can be allowed for this object will permit, it remains to say something concerning the kind of fortification.

Professing no skill as an engineer, and, as a consequence of the improvidence of our national policy in time past, possessing no competent aid in others, I shall attempt nothing more than to offer hints. Indeed, a critical view of the local situation in all its bearings, not merely a representation on paper of the part which looks toward the river, ought to guide and regulate the plan which is to be definitively adopted. This, therefore, must be left to you, with the help of the best lights you have or can procure.

But I will observe, that it appears to me advisable to occupy the summit of the height with a fort or redoubt, in nature of a

citadel, adapted to a garrison of four hundred men, and capable, as far as possible, of resisting, by its construction, a *coup de main*, and of obliging an enemy, not in a condition to make considerable sacrifices of men, to attack it in form.

This redoubt, with a battery towards the river, at the point F, in the plan you have furnished, is as much as can be immediately undertaken. In process of time, if the relative situation of territorial boundary remains as it now is, it will probably be necessary to extend from this citadel, in different directions, outworks, which, in conjunction with the citadel, will require a thousand men for their defence. This operation may be a successive one.

The idea of resisting a siege, presupposes a work of solid materials, as well as of regular design. You have stated that brick is of easy fabrication in the vicinity; wood, of an elastic quality, it is presumed, may also be procured with facility. A revêtement of brick, with an interior of wood and earth mingled, will form a strong fortress, at a moderate expense. Your estimate of the expense of a water battery, barracks, and magazine, present a total of 16,024 dollars; and you compute that a similar sum will suffice for a work such as you contemplate.

I have informed the Secretary of War that you would be authorized by me to incur an expense not exceeding this sum for the purpose in question, unless he should signify his negative to you before your departure. But while this sum is given to you as a limit, it is believed that the object may be accomplished for less, and it is not doubted that you will exert yourself to have it done as cheaply as possible.

In this place, an answer to your inquiry as to the proper employment of the soldiery, very fitly occurs. Doubtless, utility and usage both unite to recommend the employment of the soldiery in the construction of works as far as may be practicable. Not to do it must tend to an augmentation of expense which the finances of no country can bear; besides that it is to forego a powerful instrument already prepared for accomplishing the object.

I do not overlook the obstacle from the climate which you

mention in reference to our southern frontier. But for a great part of the year, I must hope that this obstacle is not formidable. If the heats of July and August, and the sultry damps of September, should drive us during that period to another resource; yet the residue of the year it is hoped will permit the labor of the troops to be employed with advantage. I am well informed that on the sea-board of South Carolina and Georgia, the season from November to April, inclusively, is deemed unexceptionable for the employment of troops in laborious operations. In the three months which have been mentioned, it may be requisite to hire the labor of negroes, but even then there may be things to which that of whites can, without injury, be applied.

In general the idea must be to construct the works by the labor of the soldiery. The resort to a different aid must be by way of exception, to be used as little as possible; circumstances may be permitted to decide in each case whether to continue any works with the aid of blacks, during the hot season, or to suspend them till the return of a season favorable to the exertion.

You will find in my letter to the Secretary, doubts as to the permanent maintenance of Fort Stoddart. That part of the plan which conforms to the disposition you have made, calls for your careful revision. You will ascertain the practicability of a safe and easy interior communication, without more expense to prepare it than the advantage may be worth. There is an intrinsically strong objection to the keeping of a post to which the access must be through a foreign territory.

The importance of securing and commanding the confluence of the rivers Tennessee and Cumberland with the Ohio, and of the latter with the Mississippi, has been duly felt by you. The selection of a spot the most eligible for a strong fort, with a view to this object and the kind of work which it will be proper to establish, are worthy of your early and careful attention. You must, however, bear in mind that it is to be successively effected by the labor of the troops. A garrison of five hundred men may be the standard of the dimensions. You will report to me the result of your investigations on this subject.

In a permanent arrangement for the galleys, watermen ought to be engaged for the mass of the crew.

Perhaps some soldiers may be employed as auxiliaries without inconvenience, and with saving. A provision by law is requisite for the first purpose. You will order the galleys to such situation as you judge best. You are informed that the artillery you have requested for Fort Adams, with correspondent ammunition and stores, have been ordered, and are to embark with you for the Mississippi. It will be my endeavor that such other artillery as may be necessary in conformity with the general plan shall be forwarded as soon as possible. As to the artillery and stores now at the several western posts, it is your province to have them disposed of as you deem most advisable.

I have desired E. Stevens, Esq., to procure the mathematical instruments which you have requested. A regular military academy appears to me indispensable, and will command, in reference to the ensuing session of Congress, my best exertions for its establishment. This meets your suggestion as to mathematical teachers.

The general orders issued by you, which you have submitted to my perusal, have been considered. They appear to me proper. But as I intend to prepare, in the course of the winter, a code of regulations which will embrace their objects, I forbear to give any formal sanction to them at this time. They will remain in force by your authority.

Your convention with the Spanish Governor respecting deserters, considered as a temporary arrangement, appears to me a measure of convenient operation. Yet it is beyond my powers to give it an authoritative sanction, and I have concluded not to ask one of the government, from the opinion that it is best it should retain the shape of a mere military arrangement between the local commanders. In this respect I do not hesitate to advise that it may continue to be executed.

I understand that arrangements have been made which will satisfy a portion of the arrears of pay which you state to be due to the troops in the western quarter. The subject shall not

cease to occupy my anxious attention. It is impossible to feel more strongly than I do the extreme impolicy of permitting large arrears to accumulate. The affair of boats to be provided and kept ready for the transportation of troops, upon an emergency, will be matter of future instruction. Should the Spanish Governor or Commander object to the conveyance of your artillery and stores to their destination, you will make a formal and peremptory requisition of free passage on the basis of treaty, and persevere in it till there shall be an unequivocal refusal, when you will send back the vessel with those articles to Savannah and Georgia, addressed to the commanding officer of the artillery of the United States at that place.

Your own permanent station will of course be with your reserve force; and it is expected that you will lose no time in repairing to it as early as may be, after the coming winter.

In the mean time, it is necessary for you to concentre all the upper posts, under the superintendence of the officer next in seniority, and to assign to him such a position as will facilitate a communication with me for the transmission of returns and information; taking care to let him understand that he is no more than your organ—an idea to which I shall be scrupulously attentive on my part.

The policy of our government towards Spain continues as heretofore, pacific and conciliatory. You will of course give the same character to your proceedings, as far as may depend upon you.

By a communication from the Secretary of War, some time since received, it is indicated that the management of Indian affairs is exclusively reserved to the superintendents and their agents; the military officers to be auxiliary, but only so as to imply no control of military operations. It will be expedient, nevertheless, that all issues to Indians at military posts should appear, in returns from them, not confounded with the issues for the military, but distinct. You will, as far as may depend upon you, give effect to this system with a spirit of accommodation. Emergencies really extraordinary must always be exceptions to a general plan. These must be left to the discretion of a military commander, at his peril.

I conform in an especial manner to the views of the administration, and to the deep impressions of my own mind, derived from a full consideration of the comparative resources and necessities of our country, when I recommend to you in every arrangement a careful regard to economy. Without it, our government cannot maintain the institutions or pursue the measures which are essential to its security and welfare. Without it, the condition of its military force can neither be respectable nor satisfactory. The interest of the army, as a corps, concurs with that of the public at large to enforce the practice of economy as a primary duty. I entertain a full confidence that your conduct will always evince a due sense of its importance, and that it will not cease to be your study, in this and every other matter, to deserve the confidence and estimation of the government.

In regard to the citizens of the western country, as far as your agency may be concerned, you will do every thing to foster good will and attachment towards the government of the United States. A firm and cordial union is certainly the vital interest of every part of our country.

HAMILTON TO ———.

NEW-YORK, October 31st, 1799.

SIR:

I have received your several letters of the twenty-third of September, and of the fourth and eighth of October.

No particular rules were laid down for the government of the colonels and majors, in the arrangement of relative rank, as it was supposed that they would naturally take into consideration all circumstances which, in a military point of view, give one man the preference to another.

Former service is certainly to have weight, and, where there is no material difference of character, is to govern the decision.

Officers of a subsequent will rank after those of a prior appointment.

The majors are all of one grade. There will be, however, between them, a priority of rank; and this priority will be determined by the principles of rank heretofore promulgated, when they come to be applied to particular cases.

CONJECTURES IN THE FORM OF QUERIES.

1799.

Might not a stage wagon be so constituted as to answer the purpose of limber to a field-piece, an ammunition wagon, and a vehicle for the transportation of twelve men? Might not a pintle be fixed behind of sufficient strength to receive the trail upon it, and draw the carriage after it? Might not the seats of the carriage be converted into ammunition boxes, to the extent of 50 or 60 rounds? Might not such a wagon convey as many men as we often see in the stages; and is not the baggage usually carried in stages nearly as heavy as 50 or 60 rounds for nine-pounders? Might not four horses, to be changed every ten or fifteen miles, convey such a field-piece with men and ammunition to a distance of fifty miles, between sunset and sunrise, and be ready for action at the instant of arrival? Might not an action be supported on an extraordinary occasion, by six or eight men to each piece, and in so much lessen the difficulties of transportation?

Suppose the weight to be drawn to be 1500 pounds more than a stage usually carries, when full, would not the more frequent change of horses obviate the objection?

In case of expending all the ammunition, might not a retreat be effected with great celerity, as short turnings do not occur in a long march through an open country? Might not the forewheels be of greater diameter than usual, and facilitate the transportation?

A carriage with its limber would require three horses for a long march. The expense of the transportation is therefore confined to an additional horse. It is presumed that under imperious circumstances, the relays might be furnished by impressing horses.

HAMILTON TO COLONEL READE.

NEW-YORK, Nov. 2d, 1799.

SIR:

I have received your letters of the 27th and 29th of September.

There is as yet no established rule on the subject of forage. I have proposed one to the Secretary of War, but it has not yet received his sanction. In the mean time you will exercise a proper discretion in the case.

There is a fixed sum which is to be received in the lieu of forage, when the article is not actually drawn. Officers, therefore, should be careful not to draw a larger quantity than is proportioned to the established price.

The system makes no provision of artificers for the infantry. Four women are allowed to a company, and draw rations with the men.

Soldiers are not entitled to rations for the time they have been on furlough.

When half a gill of spirits is issued to each soldier, the officers are entitled to one, and they are to receive half a gill for each ration they are allowed.

It is to be understood, that officers draw the spirits only when they draw the other parts of the ration, and not when they receive the price instead of the articles.

It is agreeable to me, that you should fix upon Averys as a rendezvous. With regard to every thing but the recruiting service you are under the command of General Pinckney, and to him you will apply for instructions.

HAMILTON TO SMITH.

(PRIVATE.)

NEW-YORK, Nov. 11th, 1799.

SIR:

Herewith is an official answer to your letter. I regret the intimation with which it is closed, to which, however, I can and must annex no precise meaning. I will only observe upon it, that in no sense can the affair be viewed as a personal injury, or be proper for the manifestations of personal resentment in any form. Any one who should give you a different opinion can hardly be your friend. Such an opinion, if followed, could be productive of no possible advantage, and would be attended in various ways with great inconvenience to you.

HAMILTON TO M'HENRY.

NEW-YORK, Nov. 12, 1799.

SIR:

I am this moment honored with your letter of the 8th inst. Considering the nature of my agency in respect to the subject of it, I must understand the remarks which are made as not applying to what I have done, but to the previous measures of Gen. Wilkinson. It is known to you that the project was adopted and acted upon long before I was in command; that, agreeing in opinion with Gen. Wilkinson as to the expediency of the measure, I submitted it to the Commander-in-Chief, whose concurrence it received; that, in a written communication to you, I supported the propriety of completing the work on a specified scale; that afterwards in conversation it was expressed by you to be your impression, that, situated as the matter was, it must proceed, unless the further expense necessary should, upon estimate, appear to be very considerable.

The addition of 16,000 dollars on the aggregate of 32,000, for establishing an important barrier post, did not strike me as a large, but as a very moderate expenditure; such as would not contravene the most scrupulous ideas of economy in national affairs.

Hence I presumed on the ready sanction of the Executive; yet did I not suffer this presumption to engage me in any definitive act, but confined myself to giving promissory authority, subject to the eventual control of the President through you as his organ.

Even this much I should not have done, had it not been for the previous circumstances, and had there not been a pressure as to time, owing to the necessity of expediting General Wilkinson, for which purpose the delivery of my instructions was an essential preliminary. Considering the circumstances, I cannot but believe that I have acted with all proper delicacy and caution; as, on the other hand, it is evident that I have in no shape infringed the general principle which is advanced in your letter.

To this principle, as it respects permanent fortification, I subscribe without reserve; and I agree that it is always right for military commanders, when the exigencies of service do not command the contrary, to forbear measures involving considerable expense till they shall have been considered and sanctioned by the Executive. It seems to me, too, that in my practice the rule has been observed even beyond its terms and spirit; but I cannot adopt the opinion, *that every measure, in all its circumstances*, which may involve considerable expenditure, should be submitted through the Secretary of the appropriate department to the President for his approval, and that, without such approval, formally and explicitly announced, no act leading to its execution should take place.

In the course of military operations, measures which involve very great expense are frequently indispensable, without incurring the delay of resorting to the Executive as a preliminary.

A precise rule for distinguishing the different cases is impracticable; it must be matter of sound discretion and of fair confidence on all sides.

The disbursements, finally, must no doubt be regulated by the laws of appropriation; but provisory measures will often be unavoidable, and confidence must sometimes be reposed in an after legislative sanction and provision.

This has been the course in times past, and it must always be the case. A different plan will arrest and disorder all the wheels of public service. The theory of no system can be invariably pursued with liberal strictness.

I commit myself without hesitation to the consequences of this opinion, because, as far as I am concerned, I would rather be responsible on proper occasions for formal deviations, than for a feeble, insufficient and unprosperous course of public business, proceeding from an over-scrupulous adherence to general rules; and I have no doubt that a different spirit will ever be found in experience injurious equally to the interests of the state and to the reputation and success of the persons whom it may govern. I understand that such a progress has been made in the business as that the plan cannot now be relinquished without loss of the fruits of past expense; but I am not so well informed on this point as to be able to present it as a positive ground of determination.

I adhere, however, without hesitation, to the opinion that it is expedient to pursue the plan upon the scale which has been contemplated. It is very true that this fort could not be expected to interrupt a *great* invading force; but it would be an obstacle to the enterprises of such a force as now exists, or is likely to be found in the quarter in question.

It would give additional security to the troops, who, with the views you mention, must be stationed within the scene. It would also be more impressive on the Indians; and the difference between the expense of the fort intended and that which you indicate, would be inconsiderable. I shall take care that such a communication be made to General Wilkinson, as that there may be no danger in future of his undertaking a permanent fortification without the previous approbation of the Executive.

But, if it is thought proper to arrest the execution of the plan communicated, I must beg that you will address your orders im-

mediately to General Wilkinson, since it is probable that they would not reach here in time, if they are to pass through me.

With great respect and esteem,

I have the honor to be, Sir,

Your obedient servant, &c.

HAMILTON TO WASHINGTON.

New-York, Nov. 18th, 1799.

Sir:

I have been duly honored with your letter of the 26th and 27th of October.

General Pinckney happening to be at my house when they were received, I communicated them to him, together with such other letters as had come to hand relating to the same subject; and I have since furnished him with the subsequent information transmitted to me, in order that he might take the proper measures in whatever might require his interposition. This would principally be to order the tenth regiment to Carlisle.

It is my duty, in compliance with your inquiry concerning the delay of payment of the troops, to enter into a free explanation. The complaints of which you have heard, have certainly existed * * * * and they have existed in the northern as well as in the southern quarter * * * * and the painful circumstance is, that they have been well founded.—There has, no doubt, been a great and a very unfortunate delay, which has been a pretext for, if not a cause of, desertion, which has made ill impressions on the minds of the troops, and has occasioned much embarrassment to the officers.

The history of the course of the business will best unfold the causes of the delay.

Early after the recruiting service was in train, I caused to be prepared and transmitted to the several regiments, the forms of muster and pay-rolls.—If my information be right, muster and

pay-rolls were made out according to these forms, and forwarded first to the Department of War, afterwards to the office of the paymaster-general.

It has since appeared that forms for muster and pay-rolls had been previously established by the Department of War, but these forms were never sent to me, nor otherwise communicated to the additional regiments, till some time after the arrival of the paymaster-general at Philadelphia. A compliance with them on the part of the distant regiments, the officers of which, for the purpose of recruiting, were dispersed over extensive regions, would, of course, involve a very distressing delay, in addition to that which unavoidably attended the mustering of the troops, and the preparation of the rolls on the plan which I had prescribed; yet for some time a compliance with these new forms seems to have been expected as a preliminary to the transmission of the money.

But in consequence of very importunate representations from me, and it being admitted that the different rolls corresponded in substantial points, I was given to understand by the paymaster-general, that as to past dues, the new forms would not be insisted upon, but that the money would be sent without waiting for them.

Difficulties, however, about modes of remitting the money, which, it is believed had before operated in producing delay, continued to occasion it; and to this moment the three most northern and two most southern regiments remain unsupplied.

To call every regimental paymaster to the seat of government as often as money is to be paid, is inadmissible on the score of delay, as well as of expense. To send them the money by post, must involve the double risk of loss in the post-office, and loss by a fraudulent concealment of the receipt of it. To send it to intermediate public agents, must be attended with the same risk, though in a less degree. The paymaster-general, in order to discharge himself at the Treasury, is obliged to produce vouchers in certain prescribed forms, which he has been (as he states) in the habit of obtaining before he parted with any money out of his hands; and he appeared to be fearful of a deviation from this course.

The truth is, that these difficulties being inherent in the nature of the thing, they ought, for this very reason, as I conceive, to have been overcome. Similar ones occur in all the pecuniary operations of the government, and it has been found indispensable to surmount them by expedients. The same expedients which are familiar in other cases, would have answered in the one under consideration.

In my opinion, the paymaster-general would have done right not to have been deterred by the additional responsibility which might have attended the employment of the usual expedients. In my opinion, if peculiar caution was incumbent upon him as a subordinate officer, it was to have been expected that the Secretary of War, in concert with the Secretary of the Treasury, would have interposed to remove the impediment by sanctioning a course which was unavoidable.

It is not my fault that the obstacles have not been surmounted. Aware, that in the first stages of the raising of new corps, (of which most of the officers as well as the men were unacquainted with service,) where the officers, for the purpose of recruiting, were dispersed over extensive districts, delay and difficulty would unavoidably attend the preparation of muster and pay-rolls in strict form—strongly impressed with the idea that it was of great importance, in the first instance, to inspire the troops with favorable ideas of the justice and attention of the government—and that it would be very inexpedient to have to assign to the non-commissioned officers and privates excuses for the delay of their dues on the score of want of formal documents, which it did not lie with them to prepare—I pressed the Secretary of War and the paymaster-general for advances of money to the several regiments, in anticipation of those documents, upon estimates of which I furnished the data. I thought the temporary departure from ordinary rules, and the small addition of risk, from dispensing with the usual preliminary checks, were less evils than those which were irreparable from any considerable procrastination of payment.

But my efforts were not successful. Expectations, which, in consequence of my representations, were given to me by the

paymaster-general, and which were by me given to the commandants of regiments, were not fulfilled. Disappointment and dissatisfaction have, of course, ensued.

It is but candor for me to mention, that while Secretary of the Treasury, I had knowledge of the forms which had been prescribed; but I had entirely forgotten the circumstance. And it is self-evident that all regulations prescribed by the Department of War, for observance in an army, ought to be communicated from that department, either to the military commander or to the chief of the particular branch of service to which they relate—and that it is not incumbent upon the millitary commander to make inquiry of the Department of War for them; I therefore did what was natural in the case—I prescribed forms, where I did not know that any had been previously established by superior authority.

It is very probable that the necessity of transmitting these forms did not occur to the Secretary of War. Or he may have considered it as the province of the paymaster-general to do it; but this officer being with the western army, a very great delay could not fail to attend the transmission of them by him. The truth is, that a want of sufficient organization in this particular, as in others, occasioned an omission.

The only material remark in respect to it is—that the omission having happened, it was a decisive reason for not insisting upon the forms in question as a preliminary to payment.

Upon the whole, (since I have not understood that there was any deficiency of money,) I am led to conclude that unwillingness to incur extraordinary responsibility, by a deviation from general rules, has been a principal cause of the very inconvenient delay which has been experienced. The mode of proceeding has certainly not corresponded with my ideas of propriety and expediency; yet I do not presume to expect that my ideas should be a standard for the conduct of others. And I am certainly very far from imagining, that any motive more exceptionable than the one I have suggested, has had the least influence in the affair. The paymaster is, no doubt, shielded by his instructions.

I trust that things are now in a train for a more satisfactory course in future.

With perfect respect and attachment, &c.

HAMILTON TO M'HENRY.

NEW-YORK, November 23, 1799.

SIR:

The near approach of a session of Congress will naturally lead you to the consideration of such measures for the improvement of our military system as may require legislative sanction.

Under this impression, I am induced now to present to you some objects which appear to me very interesting, and shall take the liberty to add hereafter such others as shall have occurred.

One which I have always thought of primary importance, is a military academy. This object has repeatedly engaged the favorable attention of the administration, and some steps towards it have been taken. But these, as yet, are very inadequate. A more perfect plan is in a high degree desirable.

No sentiment is more just than this, that in proportion as the circumstances and policy of a country forbid a large military establishment, it is important that as much perfection as possible should be given to that which may at any time exist. Since it is agreed, that we are not to keep on foot numerous forces instructed and disciplined, military science in its various branches ought to be cultivated with peculiar care, in proper nurseries, so that there may always exist a sufficient body of it ready to be imparted and diffused, and a *competent* number of persons qualified to act as instructors to the additional troops, which events may successively require to be raised.

This will be to substitute the elements of an army to the thing itself, and it will greatly tend to enable the government to dispense with a large body of standing forces from the facility which it will give of forming officers and soldiers promptly upon emergencies.

No sound mind can doubt the essentiality of military science in time of war, any more than the moral certainty that the most pacific policy on the part of a government will not preserve it from being engaged in war more or less frequently.

To avoid great evils, it must either have a respectable force prepared for service, or the means of preparing such a force with expedition. The latter, most agreeeable to the genius of our government and nation, is the object of a military academy.

I propose that this academy shall consist of five schools—one to be called "The Fundamental School;" another, "The School of Engineers and Artillerists;" another, "The School of Cavalry;" another, "The School of Infantry;" and a fifth, "The School of the Navy;" and of the following offices and persons:

A director-general, to superintend the whole institution.
A director of the Fundamental School.
A director of the School of Engineers and Artillerists.
A director of the School of Cavalry.
A director of the School of Infantry.
A director of the School of the Navy.
Six professors of mathematics.
Three professors of natural philosophy.
One professor of chemistry.
Two architects.
Two drawing masters.
A riding master.
A fencing master.

To be thus distributed among the several schools.

To the Fundamental School:
- A director,
- Four professors of mathematics,
- One professor of natural philosophy,
- One drawing master.

To the School of Engineers and Artillerists:
- A director,

A professor of mathematics,
A professor of natural philosophy,
A professor of chemistry,
An architect,
A drawing master.

To the School of Cavalry:
A director,
A riding master,
A fencing master.

To the School of Infantry:
A director.

To the School of the Navy:
A director,
A professor of mathematics,
A professor of natural philosophy,
An architect.

In the Fundamental School to be taught:
Arithmetic, algebra, geometry, the laws of motion, mechanics, geography, topography and surveying, designing of structures and landscapes.
The principles of tactics.

In the School of Engineers and Artillerists to be taught:
Fluxions, conic sections, hydraulics, hydrostatics and pneumatics;
The theory and practice of gunnery.
Fortifications, including sapping and mining, and the attack and defence of places;
Chemistry, especially mineralogy;
The fabrication of cannon and other arms;
The principles of construction, with particular reference to aqueducts, canals and bridges;
The composition of artificial fires.

In the School of Cavalry:
The tactics and police of cavalry, equitation, the use of the small and broad sword.

In the School of Infantry:
The tactics and police of the infantry.

In the School of the Navy:

Spherics, astronomy, navigation, with the doctrines of the tides;

Naval architecture.

The director-general and the other directors to be officers of the army and navy, conforming to the nature of each school.

These schools to be provided with proper apparatus and instruments for philosophical and chemical experiments, for astronomical and nautical observations, and for surveying, and for such other processes as are requisite to the illustration of the several topics of instruction.

The cadets of the army, and young persons who are destined for military and naval service, ought to study for two years in the Fundamental School; and if destined for the corps of engineers and artillerists, or for the navy, two years more in the appropriate school; but persons who, by previous instruction elsewhere, may have been acquainted with some or all of the branches taught in the Fundamental School, may, after due examination by the professors of that school, be either received there for a shorter term, or pass immediately to one of the other schools, according to the nature and extent of their acquisitions.

In addition to these, detachments of officers and non-commissioned officers of the army ought to attend the academy in rotation, for the purposes of instruction and exercise, according to the nature of the corps to which they respectively belong.

It would be a wise addition to the system, if the government would always have such a number of sergeants, in addition to those belonging to the regiments of the establishment, as would suffice with them for an army of 50,000 men.

The site of the academy ought to be upon a navigable water.

For this purpose, a piece of ground ought to be purchased by the government, of dimensions sufficient for experiments in gunnery, that is, not less than twelve hundred yards in length, and four hundred yards in breadth. The situation upon a navigable water is requisite to admit of exemplifications of naval construction and exercises.

It would also tend greatly to the perfection of the plan if a

position for the academy could be obtained, suited to founderies of cannon and manufactories of small arms. The pupils could here acquire the knowledge of the arts, and the detachments of troops could be made useful in the prosecution of the works.

Barracks and other proper buildings must be erected for the accommodation of the directors, professors, and students, and for laboratories and other works to be carried on.

It is proposed by the foregoing plan, that the school of engineers and artillerists shall be united. The studies relative to these two branches of service run into each other so much, that they may with convenience be pursued in the same school.

Yet it is conceived, that the entire union of the officers of both in one corps, as in our present establishment, is not advisable. The art of fortification, and the service of artillery, though touching each other in many points, are, in the main, distinct branches, and each so comprehensive, that this separation is essential to perfection in either.

This has been ascertained by experience. It is understood that one or more governments of Europe, particularly attentive to the military art, have essayed the union of the two corps, induced to it by their mutual relations in certain respects, and by the desire of insuring harmony in the service, and that the result of the experiment has led to a renunciation of the plan, as being productive of more disadvantages than advantages.

Influenced, as well by this experience in other countries, as by my own observations and reflections, I beg leave to suggest for consideration a new arrangement on the subject, to be submitted, if approved, to the legislative body.

Let the corps of engineers and artillerists be placed under one head, that head to be a general officer; but let the other officers be separated, and form a distinct corps.

A regiment of engineer officers, and two of artillery officers, will form a due proportion in the scale of our military establishment. If deemed inexpedient to increase the total number of officers, the object may be effected by suppressing two of the battalions of the corps, as now organized, increasing the number of non-commissioned officers and privates in the remaining batta-

lions, so as to continue the present total, and transferring the surplus officers, with due selection to the regiment of engineers, to be composed of two battalions.

Instead of the artificers at present forming a part of each company, let there be a corps of miners and artificers, consisting of four companies, one company of armorers and smiths, one of wheelwrights and carpenters, one of masons, and one of miners. This corps to be a portion of the corps of engineers and artillerists under the command of its chief. The officers to be taken from the regiment of engineers and artillerists at his discretion, continuing, nevertheless, to rank and rise in the corps from which they may be taken, but the President to be empowered, if he thinks proper, to appoint others to their places in the regiment from which they shall be detached. The union of these different corps under one chief, is intended to promote a spirit of harmony and co-operation, while the separation of the other officers is designed to favor a more profound and accurate knowledge of each branch.

It will no doubt be observed, that though provision should be made by the law for the proposed establishment in its full latitude, yet it may be left in the discretion of the President to appoint only so many of the professors as experience shall show to be necessary.

With great respect and esteem, &c.

HAMILTON TO WASHINGTON.

NEW-YORK, Nov. 28th, 1799.

SIR:

Inclosed is a copy of a letter which I have written to the Secretary of War on the subject of a military academy.

Two reasons have prevented me from communicating it to you at an earlier day. My avocations rendered it impossible for me to complete the letter till very lately, and I had had opportunities of knowing your opinion on the subject generally.

Any alterations in the plan which you may do me the honor to suggest will receive the most careful attention.

With the truest respect and attachment,

I have the honor to be, Sir,

Your obedient servant,

A. HAMILTON.

HIS EXCELLENCY, THE COMMANDER-IN-CHIEF.

HAMILTON TO M'HENRY.

NEW-YORK, Nov. 30th, 1799.

SIR:

The preparation of a good system for the tactics police of the different portions of our army is probably the most valuable service which it may be in my power to render the United States in my present station, and there are urgent reasons why this should be accomplished in the course of the present winter.

To do it at all would in every situation require the aid of others; since I do not pretend, myself, to understand in detail all the branches of service. To do it within the time proposed, or rather within any period not manifestly longer than it would be prudent to delay, must render a subdivision indispensable, were I competent to the whole.

I have accordingly thought of this distribution of the subject:—1. To occupy myself with the tactics of the infantry. 2. To confide to General Pinckney, with the aid of Brigadier-General Washington, Colonel Watts, and Lieutenant Walbach, or such of them as he may choose, the tactics of the cavalry. 3. To employ Majors Toussard and Hoops in framing regulations for the exercise and police of the artillery. And lastly, to charge the adjutant-general, aided by another officer, to be selected by him, with the regulations for the police of troops in camp, quarters and garrisons.

The labors of these different persons will afterwards undergo revision for adoption or correction, and then will be transmit-

ted to you for your consideration, and the determination of the President.

But as this service will occasion constant and laborious occupation to the persons who will be employed, it is just and agreeable to usage to allow a special compensation. This, too, will be expected by them, and is essential to a cheerful and zealous execution of the duty. An allowance per diem not less than one dollar nor more than two will suffice. It may vary in reference to rank. It, of course, will not be expected to extend to General Pinckney, the adjutant-general, or myself.

I entreat a speedy decision and the communication of it.

HAMILTON TO M'HENRY.

PHILADELPHIA, December, 1799.

SIR:

Pursuant to an instruction some time since received from you, I have now the honor to offer to your consideration a new plan for the uniform of the army.

You are too sensible of the influence of good appearance in point of dress and equipment upon the spirit and temper of an army, to make it necessary to illustrate its importance.

The present uniform is materially defective in this respect. The plan now offered has been digested with a careful eye to the advantages of good appearance, without departing improperly from considerations of simplicity and economy.

It is very desirable that there should be an early decision upon it, as a great number of officers suspend the procuring of new uniform in expectation of a change; and if obliged by delay to provide according to the present standard, would be exposed in case of alteration to an additional expense, which, to many of them, would be burthensome.

As to any article not provided for by law, an expectation may be signified that it will be provided at the expense of the

troops themselves. It is believed that this idea will meet with no impediment.

I send you an estimate of clothing necessary for the future years' supply of the troops under my immediate command. If materials for coats, vests, and overalls could be soon put into the hands of the different corps, they might be made up during the winter-quarters, which would save expense to the public, and afford an opportunity of having the articles much better fitted to the wearers of them.

HAMILTON TO M'HENRY.

PHILADELPHIA, December, 1799.

SIR:

I have heretofore submitted to you a scale for the allowance of servants to the different grades of officers, with some supplementary ideas. I beg leave to add another suggestion in relation to this subject.

The detaching from their corps soldiers as servants to the various officers of the general staff, is productive of material inconvenience, by withdrawing altogether from military service a considerable number of persons; and occasions dissatisfaction to the commandants of corps who never see their men removed without uneasiness, and are sometimes much disgusted by the selection of those whom they are anxious to retain. There is no doubt that it would operate beneficially, if, after fixing the number of servants to which the several characters of the general staff should be entitled, they were to be allowed an equivalent in money regulated by the cost of a soldier to the public, and were to be required to provide their own servants. Penalties may secure the faithful execution of this arrangement, which, from the force of circumstances, would be very liable to abuse.

WASHINGTON TO HAMILTON.

MOUNT VERNON, Dec. 12th,* 1799.

SIR:

I have duly received your letter of the 28th ultimo, inclosing a copy of what you had written to the Secretary of War, on the subject of a Military Academy.

The establishment of an institution of this kind, upon a respectable and extensive basis, has ever been considered by me as an object of primary importance to this country; and while I was in the chair of government, I omitted no proper opportunity of recommending it, in my public speeches and other ways, to the attention of the legislature: but I never undertook to go into a *detail* of the organization of such an academy; leaving this task to others, whose pursuits in the paths of science, and attention to the arrangements of such institutions, had better qualified them for the execution of it.

For the same reason, I must now decline making any observations on the details of your plan; and as it has already been submitted to the Secretary of War, through whom it would naturally be laid before Congress, it might be too late for alterations, if any should be suggested.

I sincerely hope that the subject will meet with due attention, and that the reasons for its establishment, which you have so clearly pointed out in your letter to the Secretary, will prevail upon the legislature to place it upon a permanent and respectable footing.

With very great esteem and regard, I am, sir,

Your most obedient servant,

GEORGE WASHINGTON.

General Hamilton.

* The last letter written by Washington, who died December 14th, 1799.

HAMILTON TO GENERAL PINCKNEY.

PHILADELPHIA, Dec., 1799.

SIR:

The death of our beloved Commander-in-Chief was known to you before it was to me. I can be at no loss to anticipate what have been your feelings. I need not tell you what have been mine. Perhaps no friend of his has more cause to lament on personal account than myself. The public misfortune is one which all the friends of our government will view in the same light. I will not dwell on the subject. My imagination is gloomy—my heart is sad.

Inclosed is an order relative to the occasion which speaks its own object.

With the sincerest esteem and most
Affectionate regard, I remain, sir,
Your very obedient servant.

M'HENRY TO HAMILTON.

WAR DEPARTMENT, Dec. 18, 1799.

SIR:

The inclosed special directions from the President of the United States, relative to the funeral honors to be paid to the memory of their late illustrious and beloved chief, General George Washington, by the army of the United States, you are requested to be particularly attentive to, so as to insure by your orders the most reverential testimonials, of that profound grief, with which every good heart must be penetrated, at the loss of a citizen, statesman, and commander, so eminently distinguished for virtues, talents and services.

You and I on this solemn occasion, experiencing, in common with our fellow-citizens, deep regret for our country's loss, have

our sorrows heightened by a recollection of his friendship towards us both, and the many days we have spent as members of his family and sharers of his confidence.

GENERAL ORDER FOR THE CEREMONIAL TO BE USED ON THE INTERMENT OF WASHINGTON.

1799.

Major-General Hamilton has received, through the Secretary of War, the following order from the President of the United States.

"The President, &c."

The impressive terms in which this calamitous event is announced by the President, could receive no new force from any thing that might be added. The voice of praise would in vain endeavor to exalt a name unrivalled on the lists of true glory. Words would in vain attempt to give utterance to the profound and reverential grief which will enthral every American bosom, and arrest the sympathy of an admiring world. If the sad privilege of pre-eminence in sorrow may justly be claimed from the companions in arms of our lamented chief, their affections will spontaneously perform the dear though painful duty. 'Tis only for me to mingle my tears with theirs, embittered by recollection that in mourning the loss of the "MAN OF THE AGE," I equally mourn that of the long-tried patron—the kind and unchanging friend.

In obedience to the directions of the President, the following funeral honors will be paid at the several stations of the army.

At daybreak, sixteen guns will be fired in quick succession, and one gun at the distance of each half hour, till sunset.

During the procession of the troops to the place representing that of the interment, and until the conclusion of the ceremonial, minute guns will be fired.

The bier will be received by the troops formed in line presenting their arms, and the officers, drums, and colors saluting. After this the procession will begin: the troops marching by platoons, in inverted order, and with arms reversed, to the place of interment, the drums muffled, and the music playing a dead march.

The bier, carried by four sergeants, and attended by six pall-bearers, where there is cavalry, will be preceded by the cavalry, and will be followed by the troops on foot.

Where there is no cavalry, a detachment of infantry will precede the bier, which itself will in every case be preceded by such of the clergy as may be present. The officers of the general staff will immediately succeed the bier.

Where a numerous body of citizens shall be united with the military in the procession, the whole of the troops will precede the bier, which will be followed by the citizens.

When arrived near the place of interment, the procession will halt; the troops in front of the bier will form in line, and, opening their ranks, will face inwards, to admit the passage of the bier, which will then pass through the ranks—the troops leaning upon their arms, reversed, while the bier passes.

When the bier shall have passed, the troops will resume their position in line, and, reversing their arms, will remain leaning upon them until the ceremonial shall be closed.

The music will now perform a solemn air, after which the introductory part of this order will be read.

At the end of this a detachment of infantry, appointed for the purpose, will advance and fire three vollies over the bier.

The troops will then return, the music playing the President's March, the drums being previously unmuffled.

The uniform companies of militia are invited to join in arms the volunteer corps. The commanders at particular stations, conforming generally to this plan, will make such exceptions as will accommodate it to situation.

At places where processions of unarmed citizens shall take place, it is the wish of the Major-General that the military ceremonial should be united; and the particular commanders at those

places are authorized to vary the plan so as to adapt it to the circumstances.

Brigadier-General McPherson is charged to superintend the ceremonial in the city of Philadelphia; Major Toussard will attend to Fort Mifflin, and will co-operate with him.

The day of performing the ceremonial at each station, is left to the particular commander.

Major-General Pinckney will make such further arrangements within his district as he shall deem expedient.

HAMILTON TO NORTH.

PHILADELPHIA, December 21, 1799.

SIR:

I inclose to you some regulations relative to the funeral honors to be paid to our departed Chief. They will govern generally in the celebration, although I have not definitely adopted them.

The ceremonies will be performed in this city on Thursday next, and I should wish them to be performed in New-York at the same time. If this is practicable, you will immediately make the necessary arrangements for the purpose. You will draw the companies from the Island, leaving only a sufficient number of men to manage the guard, and concert measures with General Clarkson for bringing forward the uniform corps of volunteers and militia to take part in the scene. It will be proper likewise that the citizens should form part of the procession, and you will do what shall appear proper in reference to that idea.

The half-hour guns will be fired on the Island, and the minute guns from the Battery. The time is not sufficient for preparing a regular oration, but I should be happy if you could prevail on Doctor Moore, or some other clergyman, to deliver a discourse suited to the occasion.

You will have musket cartridges prepared and sent to the

Union Camp, and you will also send there two pieces of artillery, with cartridges for them. The necessary articles you will apply for to General Stevens. I shall write to you on Sunday.

HAMILTON TO M'HENRY.

PHILADELPHIA, December, 1799.

SIR:

A complete revision of the articles of war is desirable, as they require amendment in many particulars. But this would be so serious a work, that I fear it is not likely to be undertaken with a prospect of being speedily finished. Waiving the expectation of such a revision, there are some things which could be done that would be important improvements. You are aware of the great obscurity which envelopes the provisions of the existing articles respecting the power to appoint general courts martial. On one construction, it is inconveniently narrow, so as to occasion too great delay, as well in constituting courts, as in giving effect to their sentences. On another, it would be too much diffused, and would place in too many hands a trust no less delicate than important.

To attempt to attain the proper medium by a mere legislative definition of the characters who may execute the power would be attended with much difficulty, and might often not meet the new situations which are apt to occur in the infinite combinations of military service. The expedient which has appeared to me the most proper is, to give the President a discretionary authority to empower other officers than those designated by the articles of war to appoint general courts martial under such circumstances, and with such limitations as he shall deem advisable.

The provisions which refer to the President the determination on sentences affecting life and the dismission of officers must, no doubt, have been frequently attended with perplexity to him, and are inconvenient to the service. It is scarcely possible for

any but the military commander to appreciate duly the motives which in such cases demand severity or recommend clemency. To this an accurate view of all the circumstances of the army in detail is often necessary. On the other hand, the efficacy of punishment, when requisite, depends much upon its celerity, and must be greatly weakened by the unavoidable delay of a resort to the Executive. These reasons certainly render it expedient to enable the commanding general of an army to decide upon the sentences in question as in other cases.

The proper mode of treating the crime of desertion has been, in most cases, an embarrassing subject. In ours it is particularly so. The punishment of death, except in time of war, is contrary to the popular habits of thinking. Whipping is found ineffectual. I have a hope that confinement and labor would prove more effectual. Believing this punishment to be within the discretion of courts martial, I encourage its adoption. But as the matter now stands, the confinement would not exceed the term of service, and when this is nearly expired, it would be inadequate. Some auxiliary provisions are desirable to give a fair chance to the experiment. It is not, however, my idea to abolish death, which in some aggravated cases would be proper even in time of peace, and in time of war ought invariably to ensue. I incline even to the opinion, that the power of pardoning ought to be taken away in this case, certainly in every instance of desertion, or an attempt to desert to enemies or traitors.

HAMILTON TO TOUSSARD.

PHILADELPHIA, December 22, 1799.

SIR:

Agreeably to suggestions heretofore made, I request that you will forthwith commence, in conjunction with Major Hoops, the preparation of a system of regulations for the exercise of artillery, and for the police service of the corps of artillerists in camp,

quarters and garrisons. I forbear to enter into a particular detail of the course to be pursued, relying upon the indications of the subject, and the knowledge and experience of the gentlemen charged with it.

SMITH TO HAMILTON.

UNION CAMP, Dec. 24, 1799.

MAJOR-GENERAL HAMILTON:

I have spent this morning in putting the troops into the general exercise, and the different companies will be employed this afternoon, and to-morrow morning the battalions, and in the afternoon the whole line.

Our minds are deeply impressed with the circumstance, and mourn with our country the loss of our dignified chief; but, though strongly feeling the loss, we mourn not with despondence, as those who have no hope, but we bow with reverence and solemnity to the dispensations of an overruling Providence, confident that a people thus raised will, under the care of the same Providence, have a sufficiently wise character pointed out to fill the vacant station. We feel grateful that he has been permitted to remain with us so long, and can, as soldiers, with firmness rely on the wisdom and talents of his successor.

HAMILTON TO COL. SMITH.

NEW-YORK, Jan. 3d, 1800.

SIR:

Your different letters of the 23d, 24th and 28th of December have been delivered to me.

It is always difficult in contracts to define the quality of the

articles which are to be furnished, and hence has arisen the silence of which you complain in the contract with the agent for New Jersey.

It is, however, implied in the nature of the transaction, that the articles be good, according to the common acceptation of the term; and when this is not the case, the agent violates his engagement, and the United States are at liberty to refuse the articles, provide them otherwise, and look to him for damages.

When bread is furnished in lieu of flour, it ought to be made of flour, and not of middlings. The bread should undoubtedly be made of the article for which it is given as a substitute. The attention which you have paid to this subject has my warm approbation. I shall write to the contractor pointedly respecting it, and you will make the idea contained in this letter your guide in your future transactions with him.

I am much pleased with your dispositions, and with the soldierly conduct of the troops in paying the funeral honors to our departed chief. I am likewise much pleased with your resolution of erecting a monument as a testimonial of reverence for his character, and only regret that I cannot make the expense a public instead of a private charge. No alterations occur to me as proper to be made in the inscription, except that I would submit to you, whether a more dignified simplicity would not be given to it by leaving out the verses; although they certainly have merit, yet they appear to me to interfere with that simplicity which should be studied on such occasions.

It is true that I said nothing with respect to extra expense. This proceeded from the supposition that no expense would be necessary independently of the articles furnished by the public; and from a conviction, which experience has produced in my mind, of the extreme caution to be observed with respect to every object that involves an expenditure of money out of the regular course.

You will be pleased, however, to send me an account of the expenses that were incurred. Such of them as were necessarily incident to the celebration I will press the payment of with the Secretary of War, and to the rest I will give every attention in my power.

HAMILTON TO M'HENRY.

New-York, January 15th, 1800.

Sir:

The section of the Act of the 3d of March, 1797, to which you refer in your letter of yesterday, is so obscurely and indefinitely worded, that it is impossible to give it a precise, or even a very reasonable interpretation. On this ground it is that I have forborne to act upon it in my own case, though commanding a *separate* district.

But while I am at a loss for its true sense, I have thought that it would be too large a construction to apply it to occasional and variable commands, like those of officers superintending recruiting rendezvouses or encampments, and so I have answered when inquiry has been made of me.

I would say that the section applies only to such officers as exercise commands in their own nature permanently separate and distinct. Fortified posts are of this description. Perhaps a separate territorial district will also give the right to the commanding general. This would certainly be within the reason of the provision, which is no doubt an indemnification for extra expense arising from situation.

Such a construction will comprehend General Pinckney and myself, and by a liberal extension, General Wilkinson, if a part of the clause does not more directly embrace him.

But in a matter in which I am personally interested, I should be unwilling that my opinion should govern. It seems to me a thing proper for the determination of the Secretary of War, after conference with the Secretary of the Treasury, and I would advise you to ask his direction. If you think good you may communicate my opinion.

HAMILTON TO M'HENRY.

NEW-YORK, January, 1800.

SIR:

Some of the maxims which obtain with the officers at the seat of government, charged with the adjustment of the accounts of those agents who have to furnish supplies and make disbursements for the military service, are of a nature to produce much perplexity and inconvenience. To me they appear mistaken, such as are to be found nowhere else, and such as must render it impracticable to discharge military duties with satisfaction or success. It is one thing to have and enforce rules which check improvident expenditure, and secure a due accountability. It is a very different thing to practise upon such as embarrass and retard the settlement of proper charges, as refuse credit for expenditures regularly made, as keep agents out of money to which they are entitled, as subject to painful animadversions and harass with unnecessary explanations officers, who, in the exercise of a reasonable discretion, direct measures which incur expense.

Specimens of the operation of these rules are to be seen in the communications herewith transmitted, from E. Stevens, Esq., and from Majors Toussard and Jackson.

It is perhaps impossible, in military affairs, to devise any system of regulations so perfect as to embrace all the cases in which expenditures by the order of particular officers for current occasions are necessary. Some discretion must be allowed. This must be the case, even with regard to officers of inferior rank, detached to remote stations. But it must be frequently and extensively the case as to a commanding general. In time of war, nothing could proceed without this discretion upon a large scale. In time of peace, incidents of a more limited nature constantly arise, involving expense, which could not be deferred for a special resort to the head of the War Department, without real injury to the service, while the officer, by the necessity of that resort in matters of minutiæ, would be placed in a situation extremely humiliating and irksome.

When in pursuance of this discretion, directions for the disbursement of money are given to a subordinate agent, in cases in which there has been no special restriction upon him, his charges ought to be admitted without difficulty, and the superior officer made responsible for improper directions in his office or in his pocket—in both, according to circumstances.

Though it may be necessary to confine the ordinary accounting officers to the admission of such items only as are within established regulations, yet, when others occur, they ought not to be rejected and thrown back upon the party to oblige him to go through the tedious and circuitous process of an application to the head of the department for an extraordinary sanction; but there ought to be an interior arrangement of the department for bringing it in the first instance before the head or some competent substitute in order to a special direction, and, when what has been done shall appear proper, the needful sanction should follow.

In the instances in which no regulations have been established by the department as a guide to the officers, their acts ought to be viewed with greater liberality, and the mismanagement which should subject them to blame or embarrassment, ought to be unequivocal.

It happens that no rules have been prescribed with regard to extra expenses. Officers are left to exercise their judgments as occasions require. They do it in good faith, and yet their acts are not received as authority in favor of agents, who could not with propriety refuse obedience to them. The fundamental principle of the military system is thus subverted. Agents for their own safety are taught to reason about the fitness of compliance with the requisitions made upon them. The service is clogged. Commanding officers are let down; and in very trifling matters are perplexed how to act. This awkward state of things demands a correction. The dignity and delicacy of officers, as well as the good of the service, demands it.

HAMILTON TO ———

NEW-YORK, Jan. 6, 1800.

SIR:

I have received your letters of the twelfth and eighteenth of December.

The attention of the Secretary of War has been heretofore called to the subject of extra expense, and I have urged him to establish some definitive rules for the government of officers. This, however, has not yet been done. I have sent the accounts for repairs to the barracks at Salem, and that for a barge for Fort Independence, to the Secretary of War.

Directions have been given with respect to a general court-martial, and an order for the purpose will immediately issue.

A rule for the allowance of quarters was some time ago proposed to the Secretary of War, but it has not yet received his sanction. In the mean time, where barracks do not exist, the contractors will provide the officers, aiming at such accommodation only as is strictly necessary.

The circumstance which you mention respecting the cadets, has been made the subject of a communication to the Secretary of War.

Your order to the garrisons was correct as to its general object. As far as the medicine chests could have been made by your artificers, and from the materials furnished by the United States, there was no impropriety in the thing. But when this cannot be done, it is improper to incur a specified expense where recourse can be had to the superintendent of military stores; that officer being the regular organ of supply. An arrangement will soon be made for recruiting for the 2d regiment of artillerists at last, and, until this is the case, no measure must be taken.

M'HENRY TO HAMILTON.

January 17, 1800.

DEAR SIR:

I received yours of the 15th instant this morning, informing me that urgent business would call you to Albany on Sunday.

I inclose you my report. I think it too probable that the House of Representatives will determine upon the suspension of the recruiting service, and doubt the firmness of the Senate.

CIRCULAR.

WAR DEPARTMENT, 25th January, 1800.

SIR:

The House of Representatives yesterday passed a bill to suspend enlistments for the six additional companies of cavalry and the twelve regiments of infantry. It is now before the Senate, and may also receive the sanction of that body. It is therefore thought advisable that the terms of enlistment be altered so as to run, "for and during the existing differences between the United States and the French republic, or for five years, at the option of the government." You will cause all enlistments under your superintendence to be made accordingly, till further orders.

The object of the new terms of enlistment is to prevent a waste of the public money in the event of the bill aforesaid passing, by securing the men to fill up the regiments on the old establishment, without additional bounty and clothing.

These instructions are to be observed until you shall receive others or contrary ones from Major-General Hamilton.

M'HENRY TO HAMILTON.

WAR DEPARTMENT, Feb. 18th, 1800.

DEAR HAMILTON:

I have received your letter of yesterday, informing me of your return to New-York. What I suggested might happen has been realized. The Senate yielded to the supposed momentum of public opinion, or some other agent as powerful, and passed the bill from the House of Representatives to suspend further enlistments for the twelve regiments and six companies of cavalry. A feeble attempt was made in the Senate to augment (by an amendment to the bill) the complement of men in the old, to the war establishment. It failed, although I had been led to believe it would have succeeded. I inclose my last weak effort for the military academy and the army. I would not be surprised, however, at the sessions being closed without any thing being done. The navy is to ingulf every thing; and it is certain, should we give to it all our money, it cannot give us in return adequate protection.

Both establishments are indispensable—I mean the military and naval. Some, however, think one of them sufficient, and that to run down the one is to secure funds for the other. You find by my report that I have pursued a different course, and presumed both necessary.

HAMILTON TO M'HENRY.

NEW-YORK, Feb. 21st, 1800.

SIR:

As the season advances fast when it will be proper to give effect to the new disposition for the Western army, and as the arrangement of the officers regimentally is a necessary preliminary to the operation, I have recurred to your letter of the 15th

of November last respecting the arrangement which was submitted to you upon the plan of Brigadier-General Wilkinson.

A material object of the arrangement was to prevent, as far as practicable, the dislocation of officers from their men, who, to avoid very inconvenient and expensive changes of position, must be incorporated differently from what they have been. But the effect of that arrangement upon the relative situation of certain officers appears on examination greater than I apprehended it to be, and it is our decisive opinion that the result would operate injuriously to the service.

In conformity with these ideas I have attempted a new arrangement, which is now sent, in which the transpositions are few, and, as I understand the matter, without prejudice to any. I entreat your speedy consideration of and decision upon it.

HAMILTON TO M'HENRY.

NEW-YORK, Feb. 28th, 1800.

SIR:

I send you the inclosed papers as they came to me from the paymaster-general. It appears that the account of Captain Ellery, after having travelled backward and forward between the offices of the paymaster and accountant, has found no person who could adjust it. I cannot presume that it has been finally rejected, because there is no evidence of a definitive application to you.

If there are any cases in which a commanding general may, by his orders, authorize the incurring of incidental and casual expenses for the good of the service, the present is such. It was impossible for Captain Ellery, with less assistance than he had, to get through the business of the office, especially in the first stages of its operations. A competent number of officers to assist, could not at the time be had without injuring other parts of the service, nor would this expedient have much diminished the ex-

pense. I am clearly of opinion that an officer cannot, with propriety, be permanently detached from the peculiar duties of his station, to be employed in services of a clerical nature, without an extra compensation proportioned to the extra labor; and that as often as the measure is necessary, such a compensation ought to be made. And I believe that ours is the only service in which there is not a military chest with a contingent fund applicable to such cases, or some officer of the staff, competent to the defraying of similar expenses as they occur.

In the return of these papers to me, I discern a fresh instance of the want of some interior regulation of your department, by which cases out of the general rules may be decided with due dispatch. Every day shows me more and more the embarrassments, which, from the same cause, perplex and distress every military agent who has any thing to do with directing or making expenditures. A remedy is indispensable to the credit and success of the service.

As to the matter immediately in question, it is my opinion, (as it seems to have been that of the paymaster-general and accountant,) that your special sanction is necessary. It will give me pleasure to learn that you have thought it right to afford that sanction.

M'HENRY TO HAMILTON.

March 1, 1800.

DEAR SIR:

Will you give a few hours to the formation of a bill, or bills, providing, 1st. For the modifications of the two regiments of artillerists, agreeably to the principles laid down in my report. 2d. For establishing the fundamental school and schools of artillerists and engineers. 3d. For such other points mentioned in my report as requiring legislative provisions. 4th. An explanatory clause in the latter bill, defining the officers entitled to double rations. The two first bills, or bills for the two first named

objects, I request you to send me as soon as possible. Such is the pressure of business upon me, that it is out of my power to do justice to these subjects.

HAMILTON TO GENERAL PINCKNEY.

NEW-YORK, March 7th, 1800.

SIR:

I now recur to your letters of the 12th December, 9th, 21st, and 23d of January, and 10th of February.

Instructions for the officers of inspection will form part of the general system in preparation. In the mean time, they will perform the duties which they executed in our war with Great Britain; that is, they will, in aid of the respective general officers, see that all the regulations concerning the tactics and police of the army are observed; and for this purpose will assist at exercises (not however as substitutes for commanding officers, which was too much the case last war); will inspect and muster the troops according to the forms and instructions which proceed from the office of the adjutant-general and paymaster-general; and they will, within their divisions and brigades, receive and issue the different general orders, perform the duties relative to the service of guards, &c., and whatsoever else is connected with the office of the adjutant-general; making all returns of the number and state of the troops. The duties formerly incident to the brigade-major are absorbed in this office. You are aware that the deputy inspector-general (section 13 of the act of the 3d of March, 1799,) is *ex officio* deputy adjutant-general. You may either employ Major Campbell in this capacity, or you may recommend to me another field-officer. Till the regulations shall be matured, you will be pleased to direct the duties of the inspectors according to this outline.

I have written to West Point for the extra *Manuels d'Artillerie* which you mention; if procured, one will be transmitted to you.

Captain McClellan's is now almost complete.

That and Captain Ingersoll's will be sent to you next month, and they will bring with them a couple of field-pieces mounted as you desire.

A system for the corps of artillerists is nearly prepared.

I consider the French prisoners as in the charge of the Naval Department, and the military restricted to the mere functions of a guard. For this, however, some ammunition is necessary. I have written to the Superintendent of Military Stores to furnish you with a supply equal to four field-pieces and a regiment of infantry.

You mention your being without a quartermaster. I have arranged with the Secretary of War to appoint, provisionally (that is, subject to the ratification of the Quartermaster-General), a Deputy Quartermaster-General, and Division and Brigade Quartermasters. The plan is, to name fit characters whom he approves, conditionally, allowing them, in the mean time, the prescribed compensations. If you will name to him characters for your particular district, they will be sanctioned. I expected that he had communicated the plan to you.

Inclosed is a list of officers, according to a definitive organization of the four old regiments. All the men of those regiments, in Georgia, South and North Carolina, and Tennessee, are to be incorporated into the fourth regiment which is attached to your command. It is presumed, though the returns are not accurate enough to ascertain it, that they will be sufficient to form one regiment.

All the men recruited and recruiting lately under the superintendence of Major Bradley, now under that of Captain Brooks, except those in North Carolina, with Captain Ross Bird, are to be marched, as soon as the season will conveniently permit, to Pittsburgh, for their final destination. All the officers of the first, second, and third regiments within your district are to join their respective regiments without delay.

I request that you will give the proper orders for carrying this arrangement into effect. Your situation will enable you to judge better than me of the most eligible routes.

Inclosed, also, is the plan which has been settled for the disposition of the four regiments of infantry. It was the intention of General Wilkinson to allot the first regiment to the north and northwestern posts; a battalion of the third to the Mississippi and the southern barrier; and to the reserved corps the second regiment and a battalion of the third. These data will serve you as a guide.

If you find that the fourth regiment will not be complete, upon your giving me information of the actual or probable deficiency, immediate measures will be taken to supply it by recruiting; and, for this purpose, you will reserve at Stanton such officers as you may think requisite. Captain Gibson is said to be a very good recruiting officer. I understand that Captain Bird, at Salisbury, has been furnished with the means of raising a company—Captain Bird, belonging to the first regiment—he will join the troops which are to proceed to Pittsburgh; and another officer, whom you will indicate, must replace him, and receive from him the recruiting money and clothing which may remain unissued. Should the number of men which are to be incorporated into the fourth, exceed a regiment, the surplus will remain attached to it, in such manner as you shall direct.

Your construction of the law, as to the allowance to the Division Inspector, is right. Nor is there any prospect of an increase of the compensation. You recollect that another Brigade Inspector may be appointed within your command, who may be charged with the southern extremity. This may abridge, in some degree, the travelling.

I wait for the recommendation of a fit character from you.

The idea of a rule for the extra travelling expenses of the aids of a general officer, distinct and different from that respecting the general, cannot but work inconveniently. I have expressed my opinion to this effect to the Secretary of War, who, I hope, will change this part of his plan.

With regard to some of the objects you particularize, as *boat-hire*, *express-hire*, *postage*, and all of a similar kind relating to the service, and not to the mere personal accommodation of the officer, I consider them as to be at the expense of the public, and

generally to be defrayed by the person charged with disbursements for the Quartermaster's department. Marquês and tents, as well as quarters and barracks, are furnished by the public; articles of camp equipage by the officer himself. It is, however, usual for him to draw camp-kettles and canteens, if he desires it.

The subject of double rations has perplexed me, as well as yourself. It is difficult to find in the law its proper meaning. It is one of the cases in which some degree of executive arbitration should be exercised. It has been matter of more than one communication from me to the Secretary of War. I have again recently called his attention to it.

I agree with you as to the employment of the troops, and shall second your views in this respect.

THE STEP.

1800.

Tacticians agree that a proper regulation of the length and speed of the step is of primary importance in a system of tactics.

Upon this depends essentially the exactness of all evolutions, the attainment of the best results with the least inconvenience to the soldier. Yet, in the theories of military writers, and in the establishments of military nations, there is great diversity in this important article. For example: while our step is two feet English, that of France (and it is believed of Russia) is two feet French, or about twenty-six inches English; that of Great Britain two feet six inches English. There is also some, though less difference, as to the velocity of the step; that of France being 76, 100 and 120 in a minute, that of Great Britain, 75, 108, and 120 in a minute.

This diversity is a reason against adopting implicitly any foreign standard, and a motive to investigation of the principles on which the step ought to be predicated. It is desirable, if possible, to find a standard in nature.

As to length, the step ought to be accommodated to men of the smaller sizes. A tall man can abridge easier than a short man extend. And yet, perhaps neither extreme ought to govern; a short man may, by habit, somewhat lengthen his usual step without fatigue, while a tall man may be too much constrained, if obliged to contract his step to the measure of a very short man. The man of middle stature may be the proper criterion, or perhaps the average of a number of men of different sizes marching together, may furnish a still better rule. In such case, a kind of compromise naturally takes place, by the mutual effort of all to move in unison.

But to arrive at a full result, it is necessary that the experiments should be multiplied, should be by individuals of different sizes, and by bodies of different numbers from few to many, and especially that they should be on different sorts of ground, rough as well as smooth, unequal as well as plain. By this diversification of the experiments, it may be possible to discover some medium which, being adopted as a standard, and made habitual to the troops, will best accommodate itself to the variety of circumstances which occur.

It is a fact which, in this investigation, demands particular attention, that the length of the step naturally increases with its speed or velocity. In a slow movement, the body is nearly perpendicular, and the leg kept back; in a rapid one, the body is impelled forward, and with it the leg, which, without effort, takes a greater distance in this than in the former case.

Hence a question whether the length of the step ought not to be proportioned to the speed, and whether, instead of that uniformity which seems to have been preferred, it ought not to be less in the slower and greater in the quicker steps. It is evident, that by lengthening the step with the speed, a greater quantity of ground will be passed over in a given time, and perhaps with less fatigue, from the men being less constrained.

The varieties in the speed of the step demand careful examination. A slow, cadenced, majestic step has been adopted, especially in reference to manœuvres of parade and the march in line. From 75 to 80 in a minute have been latterly deemed an eligible

standard. For occasions which require greater celerity, about 100 in a minute has been adopted, to be increased in particular cases to 120.

These questions arise. Are all these varieties desirable as fundamental rules? If not, what ought to be substituted? Is the slowest of these steps ever useful in the actual service of the field? If not, ought it to obtain for any, and for what collateral reasons? To what kind of movements is each variety applicable? In fine, what ought to be established as to the speed of the step?

Respect for the institutions of nations who have arrived at considerable perfection in the art of war, is a dictate of good sense; but when we consider the influence of the spirit of imitation, and how liable men habituated to routine are to be trammelled by that to which they have been accustomed, we shall find good reason not to follow those institutions implicitly. In the particular affair of the length and speed of the step, there is room to suspect that principles have not been sufficiently consulted, and that real improvements may be made. This, however, is to be carefully examined, with a temper no less remote from the love of innovation than from a spirit of blind deference to authority and precedent.

HAMILTON TO M'HENRY.

NEW-YORK, March 21st, 1800.

DEAR SIR:

Though, from repeated reflection and action upon the subject, my opinion was well made up when I received your letter of the 19th, yet I thought it proper once more to review the matter before I complied with your request. The principle of the doctrine advanced by the accountant will go much farther than the position which he now avows, namely, "that no authority short of Congress can make allowances to an officer beyond the emoluments fixed to his office by law." It will go the length of deny-

ing to the Executive in all its branches, any discretion not confirmed by some special law, to call forth and compensate any services, not merely of officers, but of any other persons, which are not indicated and provided for by particular statutes.

It will interdict the employment and compensation of a citizen as a writer, or even as an *express*, no less than that of an officer, for either purpose. The foundation of the doctrine must be, that there is no power in the Executive to subject the public to expense in any case not specially provided for by law. What substantial difference can there be between employing a private citizen for some contingent service, and paying him for it, and employing an officer for something not within the *sphere of his official duty*, and compensating him for it? I discover none in the theory; for as to such extra service he is a private citizen, and I know no law that declares a distinction.

It is certain that in the course of the discharge of its trusts, there will occur numerous instances in which the public service must stagnate, or the Executive must employ and compensate agents not contemplated by special laws.

It follows, in my opinion, that he must have an inherent right to do it, under these restrictions, that it ought to be relative to some object confided to his agency by the constitution, or by the laws, and that no money ought actually to be paid, for which there is not an appropriation by statute, either with particular reference to the purpose, or under the general denomination of contingencies. This is, in my opinion, a right necessarily implied; nor do I see why the Executive may not claim the exercise of implied powers, as well as the Legislative. In a word, there is no public function which does not include the exercise of implied, as well as express authority.

This reasoning, as far as I know, is consonant with the practice of every government, and with that of ours, as well under the confederation, as under the present constitution. If my memory deceive me not, there was an act of Congress prohibiting the union of two offices in the same person, with distinct compensations. Yet this did not hinder the allowance of special compensations to officers for special and extra service. Still less

did it hinder the indemnification for extra expenses of an officer in peculiar situations. Such compensations and indemnifications were, I believe, made by the executive boards, under the former government. Indeed, I am unusually mistaken, if the uniform practice of the Treasury and War Departments under this government, does not recognize the rule for which I contend, and reject that which is advanced by the accountant. This practice, too, has been right. A different one will be found in experience a fatal clog on the wheels of public business. The administration at large is interested in discountenancing it, and that spirit of cavil in the accountant, on which it is founded, and which my observations in my present station have convinced me is ruinous to the military department of the government. There was not an appropriation law passed, while I was at the head of the Treasury, which did not sanction my principle. There was always, I believe, a sum for the contingencies of the War Department.

The power to incur charges which involve expense, not falling under any specific head, presupposes the right to employ agents, and engage services not particularly contemplated by law. I always viewed such appropriations as a virtual sanction of the right, including in them a warranty, if necessary, to exercise the power. Such too was the practical construction.

Nobody knows better the truth in this respect than Mr. Wolcott. Nobody ought more decidedly to frown upon the dangerous metaphysics of Mr. Simmons. The recognition of his doctrine will be a fatal precedent in the administration. It will be a palsy, destructive of all energy in the government. Considering the dispositions which prevail among certain men, in a certain body, there ought to be more than a common anxiety not to establish such a fetter upon executive operations.

Yours, &c.

COL. SMITH TO HAMILTON.

UNION BRIGADE, March 25th, 1800.

MAJOR GENERAL HAMILTON:

SIR,—I have communicated to Colonel Ogden the arrangements I have made relative to the experiments I am making on the proper measure of the paces, as stated in your letter of the 18th, to whom, at present, I beg leave generally to refer you. I have made arrangements to procure the necessary pendulums to correctly mark the cadence of the *common* 75—quick 108—and wheeling time 120 per minute. I must confess, I am attached to the English time; I know it to be founded on the most approved Prussian system, and is the basis of those highly improved evolutions published by Colonel Dundas, on which the British tactic is now founded, and which is elevating the British army to a point of reputation which they have so long stood in need of.

I find that the British pace gives 65½ yards per minute, which in 8 minutes covers 522⅔ yards—that our pace per minute gives but 50 yards per minute, in 8 minutes covers 400 yards; of course the advantage gained in 8 minutes is 122⅔ yards.

If therefore we can introduce and accustom our troops to the Prussian or British step, I think there can be no hesitation which to choose. I will however do myself the honor of reporting the result of experiments about to be made. I should wish your permission to try the steps when acquired,—upon British or Prussian principles of tactics, extracts from which and some notes personally made, I am possessed of, but feel a diffidence on entering on these experiments, without your permission being previously obtained.

I have the honor to be with great respect—Sir, your most obedient humble servant.

ORGANIZATION.

1800.

In conformity with the establishment by law, and until a definitive arrangement shall be prescribed by authority of the President of the United States, the following formation and disposition of a regiment of infantry are to be observed—

A regiment will consist of battalions, divisions, companies, platoons, sections and squads.

A battalion is composed of five companies—a division will comprehend two companies. Each company will be divided into two platoons—each platoon into two sections—each section into two squads. A battalion will consequently consist of two divisions and a flank company; and as often as two flank companies shall be united, they will form a division.

When the companies shall be completed to the war establishment each will be formed upon three ranks; on the present establishment each will be formed upon two ranks, in order that it may occupy in each class the same extent. Each company shall be numbered in the regiment from one to ten according to the relative rank of the several captains, and shall be thus distributed. The battalion on the right shall consist of the first, third, fifth, seventh, and ninth companies. That on the left of the 2d 4th, 6th, 8th, and 10th companies. The station of each company will be from right to left, in the former No. 1, 3, 7, 5, 9. In the latter No. 4, 8, 6, 10, 2. No. 1 and 2 will represent the flank companies, which it is expected here after will consist of select persons.

The third and seventh companies will form a division to be called *first division*, the fifth and ninth another to be called *second division*, the fourth and eighth another to be called *third division*, the sixth and tenth another to be called *fourth division*. When the two flank companies * form a division it will be called "flank division."

* In forming it the company No. 2. will place itself on the left of No. 1.

The platoons shall be numbered from right to left in succession, from 1 to 20, and shall be denominated in the same order, *first platoon*, *second platoon*, &c. The sections of each platoon shall be denominated right and left, and when necessary shall be distinguished by the addition of the number of the platoon as "right section of the first platoon," "left section of the second platoon," &c.

In the order of battle the officers and non-commissioned officers shall be stationed as follows. Each captain shall be on the right of the right platoon of his company, covered by a sergeant. The first lieutenant on the right of the left platoon of his company, covered also by a sergeant. The second lieutenant four paces behind the centre of the company, to be denominated a "rear officer." The first sergeant two paces behind the left of the right platoon. The second sergeant two paces behind the left of the left platoon. The corporals on the flanks of the two platoons in the front rank. The second lieutenant of the company which is on the left of each battalion, shall be on the left of that company covered by the second sergeant.

The colonel shall be at twenty-eight paces behind the line of "rear officers," and opposite the centre of the interval between the two battalions. The first major, at twenty paces behind the same line of rear officers, and opposite the centre of the "battalion of the right," in a line with the standard of that battalion. The second major, in a similar position relatively to the "battalion of the left." The adjutant, sixteen paces in front of the colonel. The sergeant-major of each battalion, twelve paces in front of his major. The paymaster and quartermaster are understood to be detached on other duties. They may, however, in special cases, at the discretion of the colonel, be employed in the service of the line, when he will assign them their stations.

In the formation for reviews of parade, the colonel will be twenty paces in advance of the centre of his regiment, counting from the front rank; each major, fourteen paces in advance of the centre of his battalion, counting in like manner in a line with its colors. If the regiment shall form only one battalion, the colonel will preserve the same relative station, and the

majors the same distance, but opposite the right and left of the battalion.

HAMILTON TO PINCKNEY.

NEW-YORK, March 26, 1800.

SIR:

Inclosed is a plan of the formation of a regiment for exercise or battle, of which I request your mature consideration, and that you will [favor] me as early as may be [with] the result of your reflections. The more careful and particular your criticism, the more [will it oblige me.]

NORTH TO HAMILTON.

March 27th, 1800.

SIR:

I have the honor to present herewith, regulations for conducting military funerals and executions; for the disposal of the effects of those who die or are killed in the service. They are, with some alterations and additions which appeared to me proper, extracted from Reed and Symes, and though not of great consequence, are necessary to make a whole. The plan for the service of the guards, which is also presented, is in part taken from the regulations of Baron Steuben, and in part formed on a principle which I believe has not heretofore been adopted, and which, for this reason, I offer with great diffidence. The guards and detachments, instead of being taken promiscuously from the different companies of a regiment, or the different regiments of an army, are, by the plan accompanying this, to consist of entire squads, sections, platoons, &c. So that the officers and the men attached to their particular command, may on all occasions re-

main together. I need not say to you, sir, that the separating officers from their men, has been, and will always be, fraught with bad consequences. The officer, to a certain degree, gets rid of his responsibility for their clothing, arms, and discipline; and the men under the command of a stranger have less to hope from a strict performance of their duty, or to fear from its neglect. The alteration with respect to the camp guards, by permitting them to remain in the tents which, as a *platoon* or *section*, they occupied previous to their mounting, will, in my opinion, be attended with no inconveniences to the service, and with much convenience to the officers and men; the camp and quarter guard being thrown together under the command of a commissioned officer, and a tent or hut appropriated for prisoners where they cannot mix with the guard, and will *feel* that they are confined, will, I should suppose, be attended with good effects.

The continual attention necessary to the common and daily duties of my office, is offered in excuse for having done so little in the extra business committed to me, and I hope will be accepted.

HAMILTON TO OGDEN.

NEW-YORK, April 15th, 1800.

SIR:

In compliance with your request, I proceed to draw an outline of the duties which, as Deputy Quarter-General of the troops within my immediate command, you will have to perform.

The duties of the department of Quartermaster-General, as they have been understood in our service, are subdivided into two principal branches, one of which has been denominated military, the other civil; the first relating to the position and movements of an army, the other to its supply.

The first branch embraces chiefly the choice and distribution of ground for the quartering and encampment of troops, whether with a view to an enemy or to the exercise and accommodation

of the troops, and the disposition of them in quarters, or camp, according to the established order of battle. Second, the regulation of marches as to routes, halting-grounds, transportation, and the care and defence of baggage and stores. In the execution of this branch, a knowledge of the country, which is at any time the scene of operation, is indispensable. For this purpose good maps are to be procured or made. These are to serve for the information of the commanding general, as well as for that of the chief of the quartermaster's department. When a position is to be taken, or has been taken, the surrounding country, as well as the immediate ground, is to be carefully reconnoitred, with the approaches and outlets from it. A careful eye must be had to all intermediate grounds best fitted for posts, either to attack or defend; to the facilities for, or difficulties of opening new routes; to all the circumstances which may serve as obstacles against the attack of an enemy, or as aids in offending or annoying him. Maps are to be made which shall present the military points, mountains, morasses, defiles, and the other circumstances above attended to.

The second branch embraces chiefly the providing of quarters, grounds for encampments, the means of transportation by land or water, tents and articles of camp equipage, forage, fuel, straw and stationery, and the superintendence of the distribution and issuing of these articles. The business of guides and expresses is also an appendage of this department, and sometimes the management of intelligence is confided to it.

It is to be understood that, according to our present system, there are two officers at the seat of government—a purveyor of supplies, and superintendent of military stores.

Of the former (who is Tench Francis, Esquire) it is the duty, under the direction of the Secretary of War, to procure all supplies for the army which are not of necessity to be procured in the field or at particular military stations.

Of the latter (who is Samuel Hodgson, Esquire) it is the duty to receive and cause to be issued all military supplies; to keep accounts of the issues; and to call to account all who are charged with making them in detail.

The Department of War has likewise certain agents at particular places, who execute occasional services, and in many instances have been employed to procure and to furnish supplies.—Of these agents the following are known to me.

E. Stevens, Esquire, New-York; Jona. Jackson, Massachusetts; Archibald Creary, Rhode Island; Jacob Sheaffe, New Hampshire; Jedh. Huntington, Connecticut; Elijah Paine, Vermont; Jas. McRea, North Carolina; Edward Carrington, Virginia.

You are informed that John Wilkins, Esquire, is quartermaster-general, and is particularly attached to the western army under General Wilkinson; James Miller, Esquire, is his assistant at the seat of government, and the person there with whom you are ordinarily to correspond.

There are also, as you know, contractors at different places, who besides the business of supplying provisions, have been and in part still are charged with procuring articles requisite in the quartermaster's department, for which they are allowed a commission.

Of the aid of the different description of persons you must avail yourself in the execution of your office.

It is my wish that the actual procuring of supplies, and especially the disbursements of money for them, should be separated from the quartermaster-general and his immediate assistants; and that his province should be to direct what is to be procured relatively to the objects of his department, in addition to the articles which are provided and furnished through the officers at the seat of government; and to superintend the persons who procure the objects and make the expenditure. It seems to me more advisable that he should direct and watch over those who are to provide and pay, than that he should be charged with this species of service and responsibility. This separation will enable him to attend better to his military duties—will make him a check rather than an agent in money transactions, and will save him from the jealousy and clamor inseparable from those who are intrusted with them.

It will be a part of your duty to make from time to time reports and estimates of articles which are necessary to be provided

in your department, in order that after they shall have been examined by me, they may be submitted to the Secretary of War, or other proper officer at the seat of government.

You are to take care that all quartermasters' articles required for the troops under my immediate command are duly furnished upon proper returns. You are also to see that all general orders, as it respects the officers of your department, are punctually executed.

When you deem it necessary you may address yourself immediately to the Secretary of War upon matters within the sphere of your office.

N. RICE TO HAMILTON.

OXFORD, April 19th, 1800.

SIR:

There can be no doubt but that the natural gait of the man ought to be the measure of the pace, uncontrolled by any habit; but each man left to pursue his own, would destroy the uniformity of movement absolutely necessary in great bodies—to produce which we ought to adopt one as a standard. That of the man of medium height, would be most eligible.

The length of a pace is dependent on the time on which a man moves—therefore the same measure cannot be preserved in the common and quick time; for I have found by the experiments I have made, that we step further in quick than in slow time. We must first determine the velocity of the pace; its dimensions then will be easily found. I have made numerous experiments —I selected soldiers of 6 feet, 5 feet 10 inches, of 5 feet 8 inches, and of 5 feet 6 inches height; these I caused to march uncontrolled, repeatedly, a distance of five hundred feet, and found the average length of the step, by the men of 6 feet, to be 30¼ inches and 93 in a minute—those of 5 feet 10 inches, to be 31 inches and 95 in a minute—those of 5 feet 8 inches, were 31

inches also and 98 in a minute—in the fourth class the average was 30¼ inches and 99 in a minute. I was led to expect greater difference in the length of the step between the men of the 1st and 4th class—but the increased velocity of the pace by the short men, must have been the cause, and convinced me, that the natural dimension of the step was dependent upon the time in which it was taken. I found that the average length of the pace of the four classes was 30¾ inches, and that there were 96 in a minute. Although the men were cautioned to move in their natural gait, I am convinced their pace was considerably quickened, for, on regulating their step afterwards by music, and reducing it to our common time, it did not exceed 26 inches.

As all movements should be calculated for real service rather than show, the greater velocity with which a body of men are moved, the better, provided a perfect uniformity of stepping can be preserved, for if that is once lost in a quick movement, disorder and confusion will be likely to ensue. I have sometimes thought that our quick time is too rapid a movement for a large body of men. But as it is seldom requisite to be done with an extensive front, (and as by our system all great movements are in column, either open or closed, the formation or display of which is done by wheelings with small points, or by marching in files, in neither of which movements can great confusion ensue by want of perfect uniformity of step,) the greater the rapidity with which those movements are made the better; and therefore our measure of 120 in a minute is the time in which they ought to be performed.

If attention is to be paid to show and parade, perhaps our common time is the best calculated therefor; it is neither so slow as to throw the man off his balance, or make him preserve it with difficulty, as was the slow step used formerly by the British—nor yet so quick as not to enable him to preserve grace in the attitude of his body and time to preserve his balance by placing his foot horizontally on the ground, and I think is the best time for moving an extensive line to the front. From the small experience I have had, I cannot believe that any intermediate time of movement, between our common and quick step is

necessary, or can be of great utility. It would rather tend to perplex and prevent the soldier from arriving to perfection in either movement. I will continue my inquiries and experiments, and make such observations as shall result therefrom.

GENERAL PINCKNEY TO HAMILTON.

CANTONMENT AT HARPER'S FERRY, April 25th, 1800.

DEAR SIR:

Your two favors of the 26th of March, and your favor of the 10th of April, all arrived by the last post. The position of your field-officers, in your order of battle, I think excellent. The position of the companies I think very judicious; as, if all the officers are present, it will give the four senior captains the command of divisions, and keep the officers attached to their own companies. The only inconvenience attending it is, when a captain of the first, third, second, or fourth company is absent, the division will be commanded by a lieutenant, while a captain of one of the other companies will only have the command of a company in that division, and be in some measure subject, whenever the firing and manœuvring are by divisions, to the command of a subaltern. This happens with respect to the seventh and eighth platoons of Steuben; but no good reason can be assigned for it in his order; whereas, in yours, the important benefit which must arise from having officers attached to men they best know, carries conviction to every mind. This advantage must, however, in a small degree, be dispensed with, to enable you to manœuvre to advantage; and, for the purpose of exercise or battle, I deem it essentially necessary to equalize your companies. You never will manœuvre well without it, not even if you introduce the English mode of wheeling backwards from a halt, to preserve your pivot flank. This principle

of equalization the great king of Prussia deemed so essential, that I remember to have read, in one of his battles in the seven years' war, that after one of his wings had been considerably thinned, and repulsed in a furious onset, he took the advantage of a mountain and wood to equalize his platoons before he renewed the attack. You have been silent on this point in the order of battle you have favored me with. In the firings, the commanders of platoons, in the French service, step to the centre of the rear of their respective platoons, and give the word from thence.

With regard to the step: I have been making many experiments on it. I find men stepping a natural step, in general exceed two feet English when they march 75 steps in a minute; when they march faster, say 100 or 120 steps in a minute. The excess above two feet is in proportion to the velocity. This would suggest the propriety of the steps being lengthened, with change of measure; however, this idea, which first presented itself to Brigadier-General Washington, I have not sufficiently matured, and throw it out now to you for trial. In stepping only two feet, with the quick time, I find the men always progress with a bent knee, which is not a natural gait.

HAMILTON TO DE NOAILLES.

NEW-YORK, May 5th, 1800.

DEAR SIR:

I observe that the French regulations, as well as those of several other countries, adopt a *fixed* measure for the *pace* (pas), without regard to the velocity, which, in the French code, is *two feet French*. As the measures differ in different European establishments, I have been causing experiments to be made, in order to discover, if practicable, a standard in nature relatively to the medium size of a man. In the course of these experi-

ments it appears, that though two feet is about the natural length of the cadenced step—say 75 in a minute—of a body of men, yet they naturally increase the length of the step with the velocity.

This has led me to some new reflections on the point; and as I respect European precedents, in a science which has been so much studied and practised, I am desirous of knowing what reasoning has led to the adopting of a *determinate length* for all the direct steps, without regard to the velocity—that is to say, the same for the *quick* and *quickest.*

Nobody can better enlighten me on this subject than yourself, and I rely on your friendly disposition. I therefore do not hesitate to request that you will, as soon as may be, let me hear from you on the point, and as particularly as may be convenient.

HAMILTON TO M'HENRY.

NEW-YORK, May 5th, 1800.

SIR:

I have the honor to transmit you the copy of a letter of the 4th instant, from Colonel Taylor. It presents a picture, of which the similitude has too frequently come under my observation.

I must be permitted to observe that nothing can be more injurious to the service, than that pecuniary embarrassment should be occasioned to officers in reference to services duly performed and expenditures regularly made, by reason either of the want of a proper distribution and definition of the duties of the respective officers of the War Department, or by misapprehensions among themselves as to the boundaries of their powers and duties. It presents an image of defect of system calculated to inspire sentiments very different from those of confidence and respect, and it is attended with serious inconveniences to officers, who are kept out of compensations and reimbursements very essential to their accommodation. Besides, that it interferes with

the settlement of their accounts in every case in which for want of funds applicable to the special objects, there has been necessity for the temporary transfer of funds which had other destination.

The call upon the officers to refund, as mentioned by Colonel Taylor, is a violent measure. It is in most instances impracticable for them to comply, and surely an anterior arrangement in the modes of accounting ought to have obviated such a requisition. It is in my knowledge, as formerly a member of the administration, that there was often a necessity for accommodations of this kind, and that they were practised; nor can the public business proceed without them.

It is a delicate matter, in my station, to animadvert upon the conduct of officers in the civil departments of government. Yet there are occasions in which it is proper to waive a scruple of this sort, and to state the tendency of their conduct towards the service.

Yielding to a sense of duty, I do not hesitate to say, that in my opinion the accountant displays very often a spirit, which, if not designed, certainly tends to injure the service, and sour and dissatisfy all who are parts of or connected with the army.

I know that officer to be capable, diligent, and honest, but he is certainly not as accommodating as the complicated urgencies of military service require; and he rigidly adheres to rules, which, if universally applied, are incompatible with practice.

This disposition must either be corrected or our military affairs must always be in disorder. The public will be burthened with a large additional expense as an indemnification for the evils of the accountant's rigor, and general dissatisfaction will prevail.

The paymaster-general is charged by law with certain definite objects; the pay, arrears of pay, subsistence and forage of the troops. These are regulated by law, and involve the exercise of little or no discretion. The accountant has a more extensive authority, embracing, among other things, the expenses of the recruiting service, and all incidental and contingent expenses of the department.

Where cases occur relatively to his duties, which are either within the specific provisions of the laws, or within the established regulations of the head of the department, founded upon the general provisions of the laws, or the nature of his office, the accountant is to adjust them of course. Where matters are presented, not comprehended in the one or the other, and which must be governed by discretion, these are to be reported by him to the Secretary of War for his instruction, and in these cases the accountant is to obey that instruction, leaving the responsibility to rest upon the superior.

I premise this view of the scheme of the department, as preliminary to a proposition which I shall submit.

It seems to me that it will be expedient to extend the functions of the paymaster-general and his subordinates to some objects not now understood to come within their sphere—namely, 1st. Their travelling expenses when detached, and extra compensations to officers for extra services. 2d. The expenses of apprehending deserters. 3d. Postage and stationery, when paid for by officers of the line; and lastly, the affair of bounty money, and the contingent expenses of the recruiting service.

In order to defray such expenses in the first instance, let the regimental paymasters and persons acting as such, be furnished with small sums as a fund for contingencies; out of this fund let them defray those expenses, and let the accounts be settled provisionally by the paymaster-general, under the eventual control of the accountant.

For this purpose, it ought to be understood, that if in any instance an officer receives more than he ought to have, it shall be a charge against his pay, but shall be no obstacle to the settlement of the accounts of the paymasters, except where they may be chargeable with wilful default, or gross carelessness.

The accounts for these supernumerary objects may be rendered and settled distinctly from those provided for by law; and perhaps an additional compensation may be made to the paymaster-general.

This plan, I think, would remove some obstacles, and give some facilities which would be convenient to the service. But

whatever may be the plan pursued, it is of primary importance that some arrangement shall be devised, which shall provide for a speedy adjustment of similar matters, and prevent the disgusting altercations and delays which now continually ensue. I entreat your prompt and careful attention to the subject, and that you will immediately give in the particular case such orders as will remove the difficulty represented by Colonel Taylor.

HAMILTON TO COLONEL SMITH.

NEW-YORK, May 8th, 1800.

SIR:

I duly received your letter of the 2d of April, which has lain by from the pressure of more urgent business. In breaking silence now, I wish only to prevent misapprehension, as it may influence future cases.

I am persuaded in what you did you were actuated by a very praiseworthy zeal, and I perceive that there were circumstances from which you were led to infer a larger discretion than it was my intention to imply. Yet I ought in candor to observe, that those circumstances were designed by me, essentially, to enable you to exert your own immediate agency, without previous resort to me, as to objects within the purview and spirit of the general directions, and that several of the items in question do not appear to me to answer this description.

This must not be received as a censure, but as explanation to guide in future. When an officer *bona fide* misconstrues an instruction, and acts with a sincere view to the good of the service, I should with reluctance blame, though I should always think it proper to tell him frankly, that a misconstruction had happened, as a caution for other occasions.

I do not understand that any impediment to the settlement of the accounts exists, and if not, no further step on my part is necessary.

HAMILTON TO DE NOAILLES.

NEW-YORK, May 18th, 1800.

DEAR SIR:

I find by your reply to my inquiry, that I did not convey my meaning to you with sufficient perspicuity.

I was aware that in the French system the length of the pace in the direct step is uniform, without regard to the velocity; but I was desirous of knowing what mode of reasoning may have produced this uniformity, notwithstanding the fact that the length of the step naturally increases with the velocity.

It would seem upon principles better to proportion the pace to the velocity; that is, to have one *length* for the *ordinary step*, another for the *route step*, and perhaps (but this I doubt) a third for the *charge step*.

The effect of restraining the *quick step* to the *measure* of the *slow step*, is to make a greater quantity of effort necessary to attain a given distance, and thereby to render marches more fatiguing than they ought to be.

Having now explained myself, I shall be obliged by your further thoughts on the matter.

HAMILTON TO GENERAL PINCKNEY.

NEW-YORK, May 14th, 1800.

SIR:

I was in due time favored with your letter of the 25th April.

I am glad that our ideas coincide as to the formation of a regiment for exercise and battle.

It is a part of the plan, (though the extract sent you did not go so far as to show it,) that the companies for those purposes shall always be equalized. This is no doubt essential. The inconvenience of occasionally separating the men from their officers

must be submitted to for the overbalancing advantages of the equalization.

In primary formations, we must of necessity contemplate the corps as complete, and prescribe what a sound theory requires on that supposition; taking care to provide for casualties by means agreeing with the general principle. With the latter view "the places of officers and non-commissioned officers who may be wanting or absent are to be supplied by those next in grade, and when necessary in the formation for exercise or battle, the commandant of a regiment may assign officers of one company to another company." The application of this provision will require that the junior of the two captains shall command the division when the senior is absent, in every case in which the division acts collectively. An occasional change of position for this purpose will not be difficult.

What would you think of varying the plan of formation by placing the captain in the rear of the centre of his company, stationing the first lieutenant on the right of the right platoon, the second on the right of the left platoon?

The arguments for such a disposition are, that when in action in line, the captain will be in the best situation to attend to his whole company, to extend his influences over the whole, and to keep every part at its post. In movements which may require a different position, a correspondent change can be made.

This idea has some attractions for me, though I have not as yet embraced it even provisionally. And you will understand that no part of my plan is definitively adopted. It is all *sub judice*—open to revisal and correction.

The fact which you notice, that the length of the step increases with the velocity, is confirmed by other experiments which I had caused to be made; and, when observed, is seen to depend on a very obvious reason. This fact at present inclines me to vary the length of the step in proportion to velocity—at least, to have *two* different standards. It is certain that the contrary principle must augment the quantity of exertion requisite to attain a given distance, and tend to render marches more slow and more fatiguing.

I doubt not that the prudent change you have made in the situation of your troops will be attended with salutary effects.

With great consideration and esteem,

I have the honor to be, &c.

HAMILTON TO M'HENRY.

NEW-YORK, May 19th, 1800.

SIR:

I have transmitted to the Paymaster-General an abstract of the numbers of the twelve additional regiments, and have urged him to make an estimate of the sums which will be due, including the three months' extra pay, and without delay to remit adequate funds.

I beg you to send for him, and to second by your authority the instruction I have given.

I am thus particular, because without great exertion the troops cannot be paid up before the time fixed for their discharge; and in my opinion it is essential that this should be done. Public clamor, infinite disgust in the officers and men, possibly great irregularities on the routes homeward, and certainly additional obstacles in obtaining men on future occasions, would attend the disbanding without full satisfaction.

Hence I press for every possible exertion to be prepared for the time which has been assigned; and hence, also, I think it proper to say, that should circumstances prevent the payment of their dues to the troops by that time, I shall consider it as consistent with the orders I have received, no less than with the interest and honor of the government, to defer the disbanding till the payment shall have been received, unless I have fresh and precise instructions to the contrary.

With great respect, &c.

ADAMS TO HAMILTON.

PHILADELPHIA, May 22d, 1800.

SIR:

I inclose a copy of a letter received this morning from Colonel Smith. I am at present at a loss to judge of it. Will you be so kind, without favor or affection, to give me your candid opinion of it—whether his request can be granted, in the whole or in part, without injustice to other officers, and whether it is consistent with the military ideas? I pray your answer as soon as possible.

I am, Sir,
With great esteem,
Your most obedient humble servant,
JOHN ADAMS.

MAJOR GENERAL HAMILTON.

HAMILTON TO ADAMS.

CAMP, SCOTCH PLAINS, May 24, 1800.

SIR:

I had the honor of receiving, an hour since, your letter of the 22d instant, with a copy of one to you from Colonel Smith.

I am happy to think that the question presented is on mere military principles a very simple one. The rule of promotion by succession does not, in any service, as far as my knowledge goes, apply to a new corps in its fresh organization. Officers for such a corps, it is understood, may be found wheresoever it is thought fit, without regard to those of the antecedent establishment. This rule has been repeatedly and recently acted upon in this country, and is necessary and right.

The regularity of complying with the wish of Colonel Smith depends, then, on the fact, whether the second regiment of artillery has ever been *organized.* I believe that it never has been,

never yet having had a commandant; and, I have supposed, that this state of the thing was the reason why the eldest major of the two regiments was not long before this appointed as a matter of right. If I am correct in the fact, (of which the Secretary of War can give you precise information,) the conclusion is, that the appointment of Colonel Smith will violate no military rule, nor the right of any other officer. It may, and probably will, contravene expectations entertained on reasonable grounds; but this is a different thing from the infraction of a right.

But except on the principle that the regiment was never organized, Colonel Smith, an officer of infantry, could not be placed in the command of it, in exclusion of the majors of the corps without departing from military ideas.

The major and other officers of the additional battalion may, doubtless, with strict regularity, be appointed from the officers on this ground, if it shall be thought expedient.

What has been said is, I imagine, a full answer to the inquiry you have been pleased to make; and perhaps I ought to say no more. Yet if I did stop here, I should not be satisfied that I had fulfilled all that candor and delicacy required of me. I will therefore take the liberty to add a few words. There are collateral considerations affecting the expediency of the measure which, I am sure, will not escape your reflection, and if after weighing them duly, you shall be of opinion that they ought not to prevail as obstacles, you will without doubt anticipate criticism.

I trust this remark will not be misunderstood. The opinion I have of Colonel Smith's military pretensions, my personal regard for him, and my sensibility to his situation, conspire to beget in me sentiments very different from a disposition to throw the least impediment in the way of his success.

HAMILTON TO SWAN.

CAMP, SCOTCH PLAINS, May 26, 1800.

SIR:

I send you the copy of a letter of the 14th instant, from Captain Ellery, with the documents to which it refers.

If my recollection be right, there lies an appeal from the accountant to the Comptroller of the Treasury. If so, I request that you will, without delay, on behalf of Captain Ellery, make an appeal.

After much reflection, I do not perceive any sound distinction between special compensations to persons not of the army and similar compensations to officers of the army for services, which do not appertain to the nature of their offices.

Their established compensations cannot be presumed to embrace such services; as to these they are mere strangers, with the sole difference, that being already in the employ and pay of the government, it is reasonable they should receive less allowances.

If, as the practice admits, it is within Executive discretion to allow special compensations to strangers, payable out of the fund for contingencies, it must be on the principle, that such services being casually necessary, and not provided for by law, it is requisite to the progress of the service, and agreeable to an implied license in the appropriation of the fund, that they should be called forth, and recompensed by Executive authority. And the same principle would extend to allowances to particular officers for services which the laws did not contemplate that they were to perform, and consequently did not provide for. The interest of the service will manifestly be promoted by this extension. In numerous instances officers may be made use of for such purposes without interfering with the parts of the service for which they were destined; and in all such instances, as their allowances will be less than would be made to strangers, there will be economy in employing them; besides that in many cases they are best qualified, and in some situations other qualified persons could not be found at all.

To say that special compensations for special services is in no case within Executive discretion, would be contrary to uniform usage, and would arrest the wheels of every branch of the government. In the military service, especially, innumerable casualties occur in which the exercise of that discretion is indispensable.

What is to be done? A person is appointed lieutenant of a regiment; there is a certain routine of duties incident to the station. These are foreign to the clerical and peculiar duties attached to different branches of the staff. These, besides demanding particular qualifications, frequently involve close application and constant drudgery.

Suppose an officer is called to exchange the one station for the other, without an equivalent for the additional labor and skill; may he not reasonably decline it, and say, this service is not within the terms of my undertaking with the public? Suppose even, that the disposition of military subordination would not tolerate a refusal; could a service proceed with harmony and satisfaction, and advantage, in which such a despotism was exercised?

Will it be said that the future justice of the legislature is to be relied upon? Will officers cheerfully undertake or assiduously perform on such precarious ground? Is it right to compromise a commanding general, by laying him under the necessity of giving expectations which may not be realized?

There can be no doubt on this question where justice and expediency point; and though first appearances may countenance the distinction which has been made, a more thorough view of the subject shows it to be too nice and subtle for practice.

I trust that the Comptroller, on mature consideration, will regret the distinction. You will please to communicate to him this letter, that he may see the reasoning on which I gave my sanction to Captain Ellery for the expenditure which he has made. It may be depended upon that the business of the department absolutely required it.

With great consideration, &c.

THE PAYMASTER-GENERAL.

HAMILTON TO ———.

HEAD-QUARTERS, Union Brigade, May 27th, 1800.

SIR:

It is very important in tactics to ascertain the proper length and speed of the step. For this purpose I am causing experiments to be made in various quarters, and I have drawn up the inclosed paper to serve as a guide in making them. I request that you will have experiments made in all the varieties indicated, and report the result.

HAMILTON TO RIVARDI.

CAMP, SCOTCH PLAINS, May 31st, 1800.

SIR:

I have received your letter of the 15th instant.

As we live in a jealous country, and in jealous times, a visit from Governor Hunter and the Duke of Kent is not to be courted.

If, however, circumstances should occur in which the thing cannot be avoided without a breach of politeness or liberality, it must be met with a good grace. With this caution, I leave the matter to your prudence and delicacy.

If a visit shall take place, the same ceremonies are to be observed towards the Governor, as would be observed towards a similar character in our own country. That is, he will be received by the garrison with presented arms—officers and colors saluting, and music playing. In the reception of the Duke of Kent, there will be the additional ceremonies of a discharge of artillery, and the honors of the flag.

Under the circumstances stated, I consent to your taking an additional servant from the garrison.

ADAMS TO HAMILTON.

PHILADELPHIA, June 20th, 1800.

SIR:

The itinerant life I have led has prevented me from acknowledging the receipt of your favor of May 24th until this time. Your sentiments are very satisfactory to me, and will be duly attended to.

I anticipate criticism in every thing which relates to Colonel Smith. But criticism, now criticised so long, I regard no more than "Great George, a Birth-day Song." Colonel Smith served through the war with high applause of his superiors. He has served abroad in the diplomatic corps, at home as marshal and supervisor, and now as commandant of a brigade. These are services of his own, not mine. His claims are his own. I see no reason or justice in excluding him from all service while his comrades are all ambassadors or generals, merely because he married my daughter.

I am, Sir, with much regard,

Your most obedient and humble servant,

JOHN ADAMS.

MAJOR-GENERAL ALEXANDER HAMILTON.

HAMILTON TO M'HENRY.

NEW-YORK, June 28th, 1800.

SIR:

An extraordinary pressure of business since the receipt of your letter of the 10th inst., has delayed a reply to that part of it which respects the rule of promotion.

This rule was not adopted on my recommendation singly, but on the recommendation of the Commander-in-Chief, supported by the opinion of General Pinckney and myself.

Of its expediency with regard to the corps of artillerists and engineers, I have always had some doubt.

The smallness of that corps in point of number avoids the inconvenience of a lineal promotion of captains. The nature of its service, almost always by detachments, causes the reason for a different mode to be inapplicable to it, and the scientific nature of the corps strengthens the inducements to a strict succession according to seniority.

But a uniform rule was thought most eligible; and I have not the least doubt that the rule of promotion, regimentally to the rank of majority, inclusively, is the best with regard to the infantry and cavalry.

In corps which act collectively, there is an advantage in keeping the men as much as possible with the officers to whom they have been accustomed. As often as you bring an officer from another regiment the advantage is lost.

But more justice is done by a regimental promotion than by any other mode. Corps in active service are, in various ways, subject to losses in a much greater degree than those in a state of repose. It is justly congenial with the natural feelings of the human heart, and an incentive to exertion, that promotion should keep pace with danger and suffering.

If, when a regiment had been half destroyed by a bloody action, the advancement of all the remaining officers was impeded by bringing captains from garrisons perhaps a thousand miles off, the effect upon those officers would be very discouraging, and the influence upon the service very inauspicious.

It may be asked, Why not apply this reasoning to the field officers? The answer is, that when the grade becomes of this importance it carries with it a tenaciousness of the principle of promotion by seniority; and the whole number not being very considerable, the delay of lineal promotion is less sensibly felt and the effect less extensive.

Balancing the opposite considerations, it is judged the least inconvenient to regulate the higher grades by a lineal promotion.

You have herewith a report of Major Hoops concerning the late disturbance at West Point.

North has since set on foot criminal prosecutions against Captain Stille and several of his men for riot and theft. A hot-

headed magistrate, without the decency of a previous resort to higher authority, issued a warrant, upon which the captain and those men were apprehended, and after a refusal to bail them, committed them to the common jail of the county. On the representation of the district attorney, a habeas corpus was issued by our Supreme Court, and the prisoners have all been liberated on easy bail. The honor and success of the service require absolutely that this affair should be probed with all possible attention. I have expressed this opinion; you may perhaps think it expedient to confirm the sentiment.

HAMILTON TO M'HENRY.

July 2d, 1800.

SIR:

From the terms of the act disbanding the additional army and correspondence with the Department of War, I consider our military operations ceased. When, therefore, any remnants of the business formerly under my superintendence present themselves, I can only lay them before you for your consideration and decision.

In pursuance of this idea I send you the inclosed account.

July, 1800.

Major-General Hamilton has it in command from the President of the United States, to assure the officers and men of the corps which are about to retire from the service, that he entertains a strong sense of the laudable zeal by which they were induced to take the field at the appearance of danger to their country, and of their good conduct in every respect, since they have been in the service; and that he deeply regrets any inconvenience which may result to any of them from an anticipated dissolution of

their services—that he doubts not their patriotism will lead them to make a just construction of the motives of the government, and that he relies firmly upon them as the zealous defenders of their country in any future emergency.

The Major-General is happy to be the organ of this expression of the sentiments of the President. To add the assurance of his high sense of their merits, is a tribute due to them and to justice. He cherishes a deep sympathy in the feelings which naturally actuate them at so interesting a moment, and he entreats them to be persuaded that his warm affection will follow them, wheresoever they may be.

CORRESPONDENCE.

WASHINGTON TO HAMILTON.

Monday morning, January 4th, 1789.

DEAR SIR:

I feel myself very much obliged by what you sent me yesterday.

The letter from Governor Johnston I return, much pleased to find so authentic an account of the adoption, by North Carolina, of the Constitution.

Yours, sincerely and affectionately,

GEORGE WASHINGTON.

LEE TO HAMILTON.

ALEXANDRIA, September 3d, 1789.

MY DEAR SIR:

Lest my brother should have returned, I take the liberty of asking your safe delivery of the two letters inclosed, and any reply which may be given to you for me. At the same time, let me present my hearty gratulations for the proper honor you have received from our country.

I anticipate good to the public, and new lustre to my friend,

notwithstanding the obstinate difficulties and embarrassments which oppress our finance.

May complete success crown your endeavors. How is Mrs. H. and family? Poor Mrs. Lee continues still very infirm. She desires to be remembered to her good friend.

Always yours,

HARRY LEE.

HAMILTON TO LAFAYETTE.

NEW-YORK, October 6th, 1789.

MY DEAR MARQUIS:

I have seen, with a mixture of pleasure and apprehension, the progress of the events which have lately taken place in your country. As a friend to mankind and to liberty, I rejoice in the efforts which you are making to establish it, while I fear much for the final success of the attempts, for the fate of those I esteem who are engaged in it, and for the danger, in case of success, of innovations greater than will consist with the real felicity of your nation. If your affairs still go well, when this reaches you, you will ask why this foreboding of ill, when all the appearances have been so much in your favor. I will tell you: I dread disagreements among those who are now united, (which will be likely to be improved by the adverse party,) about the nature of your constitution; I dread the vehement character of your people, whom I fear you may find it more easy to bring on, than to keep within proper bounds after you have put them in motion. I dread the interested refractoriness of your nobles, who cannot all be gratified, and who may be unwilling to submit to the requisite sacrifices. And I dread the reveries of your philosophic politicians, who appear in the moment to have great influence, and who, being mere speculatists, may aim at more refinement than suits either with human nature or the composition of your nation.

These, my dear Marquis, are my apprehensions. My wishes

for your personal success, and that of the cause of liberty, are incessant. Be virtuous amidst the seductions of ambition, and you can hardly in any event be unhappy. You are combined with a great and good man: you will anticipate the name of Necker. I trust you and he will never cease to harmonize.

You will, I presume, have heard before this gets to hand, that I have been appointed to the head of the finances of this country. This event, I am sure, will give you pleasure. In undertaking the task I hazard much, but I thought it an occasion that called upon me to hazard. I have no doubt that the reasonable expectation of the public may be satisfied, if I am properly supported by the Legislature, and in this respect, I stand at present on the most encouraging footing.

The debt due to France, will be among the first objects of my attention. Hitherto it has been from necessity neglected. The session of Congress is now over. It has been exhausted in the organization of the government, and in a few laws of immediate urgency respecting navigation and commercial imposts. The subject of the debt, foreign and domestic, has been referred to the next session, which will commence the first Monday in January with an instruction to me to prepare and report a plan comprehending an adequate provision for the support of the public credit. There were many good reasons for a temporary adjournment.

From this sketch, you will perceive that I am not in a situation to address any thing officially to your administration; but I venture to say to you, as my friend, that if the instalments of the principal of the debt could be suspended for a few years, it would be a valuable accommodation to the United States. In this suggestion, I contemplate a speedy payment of the *arrears* of *interest* now due, and effectual provision for the punctual payment of future interest as it arises. Could an arrangement of this sort meet the approbation of your government, it would be best on every account that the offer should come unsolicited as a fresh mark of good will.

I wrote you last by Mr. De Varville. I presume you received

my letter. As it touched some delicate topics, I should be glad to know its fate.

Yours, with unalterable esteem and affection,

ALEXANDER HAMILTON.

P. S. The latest accounts from France, have abated some of my apprehensions. The abdications of privileges patronized by your Nobility in the States General, are truly noble, and bespeak a patriotic and magnanimous policy, which promises good both to them and their country.

WITHERSPOON TO HAMILTON.

PRINCETON, October 26th, 1789.

DEAR SIR:

On Saturday I had the pleasure of receiving yours of the 20th. It is very flattering to me that you suppose I can render any assistance by advice in the important duties of your present station. It is true that, from the very earliest part of life, it has been a favorite object with me to attend to the state of society, and the operation and influence of political causes, and, among the rest, money, as a medium of commerce and things connected with it. It happened, also, that about thirty-two years ago we had several accurate discussions in Scotland and England respecting the banking companies, on which subject I read much and wrote some; but my knowledge of these matters is all general and theoretical. It is always my desire, if possible, to reach the first and radical principles of any thing; and when these are well understood, you may look through, as it were, the whole effects with great celerity as well as certainty. As to the official detail of business in the management of Treasury affairs, I know as little about it as any person whatever.

However very willing to contribute all the assistance in my power to the public service, I observe, that as I have been unexpectedly chosen a member of the Assembly of this State,

which my friends have pressed me to comply with, I shall be at Amboy for a month or two from this date, and will probably make an excursion to New-York, when I will do myself the pleasure of calling upon you; and if any thing worth communicating occur to me, shall impart it in conversation, which can be more full and satisfactory than it could be by writing.

In the mean time, as you mention a proper provision for the public debt, the evil that has pervaded our whole affairs in America, has been the want of a just sense of the sacredness of public credit. We have still an idea, meeting us in conversation and publication, that a discrimination must be made between original creditors and speculators, as they call them. I am free to speak upon this subject, because I never was a speculator or trafficker of any kind, and I never had such faith in the public since the year 1777, as to purchase a certificate; so that I am not possessed of one security as my own; but discrimination is totally subversive of public credit. I remember to have said this to some persons. English funds are not depreciated like ours, yet they are depreciated.

Sailors' tickets and navy debentures are sometimes as far as from 20 to 25 per cent. discount. Now if every member in Parliament, or any person in the pay-office, should say to one buying a number of them, "Where do you get these? You are a speculator; you never drew a rope in a ship; you did not pay the full value of them, and we will not pay you the full value of them;" such a thing registered and believed in the Exchange of London, would bring the whole national debt to the ground in two hours.

Keeping any thing further till meeting,

I remain,

Dear Sir,

Your most obedient, humble servant,

JNO. WITHERSPOON

M'HENRY TO HAMILTON.

BALTIMORE, October 27, 1789.

DEAR SIR:

Being obliged to attend our Legislature the first of next month, it will be out of my power to collect, examine, and prepare the necessary facts relative to your queries, at least till after the end of the session; and as a majority of the house of delegates is said to be anti-federal, I can form no judgment of its duration.

Be assured I was not only made exceedingly happy by your appointment, but shall always rejoice at every circumstance which can add either to your fame or fortune. Your office is vastly important, and you are worthy of it, and what is more, equal to its duties, but at the same time it is extremely hazardous. I cannot tell whether all the wisdom, and justice, and policy, and politics you can put into your plan will procure them, in all conjunctures, a good reception in Congress; or rather, for how many ages these qualities will serve instead of the means which a British minister employs to insure success to his.

HAMILTON TO DUER.

1789.

While I truly regret, my dear friend, that the necessity of your situation compels you to relinquish a station in which public and personal considerations combine to induce me to wish your continuance, I cannot but be sensible of the force of the motives by which you are determined. And I interest myself in your happiness too sincerely not to acquiesce in whatever may redound to your advantage. I confess, too, that *upon reflection* I cannot help thinking you have decided rightly.

I count with confidence on your future friendship, as you may on mine.

An engagement at the President's will not let me meet you at dinner, but I shall be happy to see you in the evening.

Adieu—God bless you, and give you the success for which you will always have the warmest wishes of

Your affectionate

A. HAMILTON.

LEE TO HAMILTON.

RICHMOND, Nov. 16, '89.

MY DEAR SIR:

The letter sent to your care, be pleased to return.

Your undertaking is truly arduous, but I trust, as you progress in the work, difficulties will vanish.

From your situation you must be able to form with some certainty an opinion concerning the domestic debt. Will it speedily rise? Will the interest accruing command specie or any thing nearly as valuable? What will become of the indents already issued?

These queries are asked for my private information; perhaps they may be improper. I do not think them so or I would not propound them—of this you will decide, and act accordingly. Nothing can induce me to be instrumental in submitting my friend to an impropriety. I wrote General Knox some time ago, inclosing a letter for Governor St. Clair.

Will you before you answer me know whether my letter was received?

The anti-federal gentlemen in our Assembly do not relish the amendments proposed by Congress to the Constitution.

Yours always and affectionately,

HENRY LEE.

HAMILTON TO COL. R. H. HARRISON.

NEW-YORK, Nov. 27th, 1789.

MY DEAR FRIEND:

After having labored with you in the common cause of America during the late war, and having learnt your value, judge of the pleasure I feel in the prospect of a reunion of efforts in this same cause; for I consider the business of America's happiness as yet to be done.

In proportion to that sentiment has been my disappointment at learning that you had declined a seat on the Bench of the United States. Cannot your determination, my dear friend, be reconsidered?

One of your objections, I think, will be removed; I mean that which relates to the nature of the establishment. Many concur in opinion that its present form is inconvenient, if not impracticable. Should an alteration take place, your other objection will also be removed; for you can then be nearly as much at home as you are now.

If it is possible, my dear Harrison, give yourself to us. We want men like you. They are rare in all times. Adieu.

Your affectionate friend,

And obedient servant,

A. HAMILTON.

HAMILTON TO LEE.

NEW-YORK, December 1st, 1789.

MY DEAR FRIEND:

I received your letter of the 16th instant. I am sure you are sincere when you say that you would not subject me to an impropriety; nor do I know there would be any in my answering your queries. But you remember the saying with regard to

Cæsar's wife. I think the spirit of it applicable to every man concerned in the administration of the finance of a country. With respect to the conduct of such men, *suspicion* is ever eagle-eyed. And the most innocent things may be misinterpreted.

Be assured of the affection and friendship of your

A. HAMILTON.

WADSWORTH TO HAMILTON.

HARTFORD, December 17th, 1789.

DEAR SIR:

The author of the Observer has in view to procure the good will of the citizens of this State to the National Government, and to have the State debts adopted. He will go on if none of his projects oppose yours—have you read him? The next week will produce an Observer, which proposes a land tax, and reprobates a mode of collection. I wish you would read them, and if you find nothing which you disapprove, say so.

The time draws near when Congress meet. I shall be called on for a militia bill—you know who I expect it from. Hitherto the merchants of this State have been nearly unanimous in their support of the impost—but they are greatly agitated at the prospect of being obliged to pay the duties which arose before the office was opened. There will be so many actions brought, and such disgust given, that I fear the evil will be greater than the good.

I am, dear Sir,

Sincerely your friend,

JEREMIAH WADSWORTH.

MORRIS TO HAMILTON.

PARIS, Jan. 31st, 1790.

DEAR HAMILTON:

I did expect that in congratulating you, which I do most sincerely, upon your appointment, I should have communicated a matter which would have administered much ease and convenience to the affairs of your department. I learn this morning, that these expectations are frustrated from a quarter and in a manner which would excite my surprise, had I not long since acquired the habit of wondering at nothing. I will tell you a plain story.

M. Necker, pressed for money, had listened to overtures for selling the debt of the United States, and mentioned the matter to some members of the National Assembly, by which means it became known to the principal Americans, and friends of America here. I own, that upon the first mention of the matter, it appeared to me a thing of indifference, and so I expressed myself. Our duty is to pay to such creditors as may possess the demand. But further information placed the affair in a different point of light. It appeared that the offer was for a small part, at a great discount; and that the terms of the bargain were to be debated in the National Assembly, and consequently our reputation sported with. Mr. Short did every thing in his power, but having no pointed instructions, could only express the result of his own judgment and feelings. But the minister was pressed for money, and he had the offer of money. Under these circumstances, in connection with a society of friends to America, I made M. Necker an offer, such as in my conception was honorable to France, to America, and to the parties. This proposition (after stating the amount of the principal and interest which would be due on the first of January, 1790, and considering that as a new capital on which the interest was to run) contains the following terms: "*Ou propose de l'acquérir du gouvernment, et à cet effet de l'acquitter en entier par des rentes perpétuelles de la France montantes à la même somme.*" This payment was to be made in

the year 1790 and 1791; consequently, so far as France is concerned, the offer went to a full, complete, and entire payment, and that at a much earlier period than is stipulated by the terms of the loans themselves. To this was added a further offer, in case the situation of affairs in this kingdom should require it, in the following terms: "*Ou se chargera de solder en argent la moitié de la dite rente aux prix courant des effets royaux.*" This part of the offer has no other merit than to secure to the minister the sale of the French effects, if he thought proper, and is therefore a matter rather of convenience than advantage. I communicated this plan, beforehand, to Mr. Short and to the Marquis de Lafayette, who both considered it as an excellent means of saving at the same time the honor and interest of America, while it furnished a useful resource to France. I showed it also to Monsieur de Montmorin, who, having well weighed and considered it, assured me that he most heartily approved it, and would do every thing in his power to secure the success.

In the supposition that this plan were adopted here, application was to be made through you to the United States, to pay the amount of this debt in obligations for current guilders, calculating the exchange at par; those obligations to bear five per cent. interest, and to be paid in instalments, the first of which to commence five years hence. Consequently, as the Society was to bear all the charges of negotiation, &c., &c., it follows clearly that the United States would have obtained the needful time required for their accommodation without a farthing of expense, and without the pain of soliciting it from this court. It was therefore equally honorable and useful for them. It was honorable also to the parties. First, because they became eminently useful to the societies of which they are respectively members; and, secondly, because the advantage, if any, which they were to derive, would result merely from a careful and industrious attention to the variations of the exchange and fluctuations in the effects, and from the use of their funds and credit to make investments at the proper times and seasons, which, as far as the sum of forty millions of livres and upwards can go, must necessarily have sus-

tained the value of the stocks here. And you will observe that this was clearly stated and understood.

The proposition was delivered to M. Necker, on the fifth of December. You will observe, that in framing it, we counted upon the aid of money-lenders in Holland; and in preference to others, upon the commissioners of the United States. We learned, however, that these gentlemen had, notwithstanding the remonstrances of Mr. Jacob Van Staphorst, who has a real and warm regard for America, joined with those who made the offer to M. Necker.

Through the channel that brought us this information, an interview was brought about between Monsieur de la Chaise and Mr. Van Staphorst, charged with the final proposition to M. Necker and me. I told those gentlemen, that I was convinced their offer could not be accepted, (by the by, M. Necker had told me that the sum offered was not sufficient,) and that, if accepted by the minister, it could not be adopted by the Assembly, and that they risked doing great injury to America without any advantage to themselves; that I would communicate to them an offer I had made, and which I had great reason to believe would be adopted; that I would offer them an interest in it, or a commission, at their option; that if they should not approve of holding a concern, I would then lie still, and let them make the most of their plans without opposition, but asked the assurance on the part of themselves and of their principals, (those whom they represented,) that if they found their own scheme impracticable, and did not choose to adventure with me, they should only not oppose. This being solemnly promised, I stated the matter to them at large, and they came so fully into my views, as to withhold the proposition they were directed to make, and send an express on the subject to Amsterdam.

The interview was on the 11th of December, in the evening. Some further discussions were needful, which we had the next day. I avoided going to M. Necker's, because I was to do nothing which would defeat their plan. On the 26th, Mr. Hubbard, partner of the house of Staphorst, arrived, charged to make their offer, with a budget of reasons in support of it. This

offer was to purchase the 6,000,000 at a discount of about eleven per cent. It was made immediately; and on the morning of the 28th he called on me, in company with Mr. Van Staphorst.

I had been repeatedly assured from different quarters, that M. Necker was ready to treat with me, but I had not put myself in his way. The conversation with Mr. Hubbard was not very long. I heard what he had to say, and replied with great precision, but so as to change entirely his opinion. You will not wonder at this, when I tell you the purport of the objections he had brought forward: first, that it was too profitable to the parties; secondly, too burdensome to France; and thirdly, might injure the credit of America by selling the obligations too low. To the first I replied by a smile, and the assurance that I never expected such an objection from Holland. This disconcerted him. To the second, I answered, that M.Necker understood his own business, and might safely be trusted in making a bargain; but I showed him further, that the bargain was a good one. To the last I made the answer, which I am sure you have already made in your own mind, viz., that if the commissioners of the United States could safely be trusted in making negotiations, where the loss was to be borne by their employers, *à fortiori* might they be trusted where the loss was to be borne by themselves.

As all this was merely ostensible, I pressed him hard for the real reasons, but could get nothing more than assurances that there were no other than those above mentioned. As these were clearly refuted, of course he acknowledged himself converted; but Hudibras has very well observed, that

> "Who's convinced against his will,
> Is of the same opinion still."

A more effectual change was wrought by M. Necker, who, on the second of this month, refused their offer. On the morning of the third, Mr. Hubbard called and informed me of this, and in the afternoon of the fifth, he set off for Amsterdam, apparently desirous of bringing all his friends into my views. The business went on but slowly in Amsterdam; and Mr. Jacob Van Staphorst was amused from time to time, and amused me, with

the expectation that each succeeding post would bring their definitive answer. But this morning he tells me, with very sincere regret, what has been done. The letter to you on this subject I have read, and will make a few remarks upon it; but shall not be very precise, perhaps, as it is only from memory of what it contained that I write.

The idea of an enormous profit, admitting for a moment that such were to accrue, would hardly have been with them what Candid calls *the sufficient reason* for refusal, although, perhaps, it might have been for acceptance. But you can judge of the extent of that profit, and you will, with me, smile at the absurdity of connecting with such profit a sacrifice in the price of American obligations, on the vending of which at or near par, the profit must certainly depend. There is something else which, perhaps, is more ridiculous still, viz. that the United States, whose obligations, belonging to numerous individuals, are daily sold on the change of Amsterdam, should apprehend an injury to their credit, from trusting a farther negotiation to persons, whose immediate interest in supporting that credit would be so great. They state as a great difficulty, the borrowing of twelve millions within the term, when *on the same pledge* they can borrow twenty. Their statement of sums, is not, I believe, very accurate, or perhaps my memory is not accurate. However, I am sure the idea is, that the greater sum can be borrowed more easily than the less. There is also the farther very extraordinary idea that it is for the interest of the United States to pay between four and five per cent. upon a negotiation, rather than get it done for nothing. I shall not notice many expressions which are injurious, but make to their affectation of disinterestedness, the answer which Jacob Van Staphorst made to me. It is very strange that they should say all this, when they must remember that in M. Colomb's time, they offered him only fourteen millions of livres for one half of the thirty-two, and arrearages of interest, but would not take the whole, even at that rate, which is the reason why the bargain was broken off. I should make but a poor excuse for so long a story, if I stopped here; but I will now proceed to give you what I conceive to be the key of the riddle.

These gentlemen are engaged, as I suppose you know, in very extensive speculations upon the funded debt of America. They have lately worked this matter to a most astonishing benefit. Above three millions of that debt, which cost them five shillings in the pound, has been made the basis of a loan on which they receive sixty per cent., and are bound to repay it by instalments *from the interest receivable in America.* The Dutch, however, prefer lending at five per cent. to the Congress direct. It is, therefore, essential to the success of their schemes, that they should be able to suspend the one loan always, till they have completed the other, and thus our national interests are rendered subservient to their particular negotiations. You will easily see that one such operation, *in which there is no risk*, is better worth pursuing *than the very great profit* they complain of. With this hint you will understand the matter thoroughly. I must come to a conclusion.

I did not see M. Necker as I expected this afternoon, because he was gone to council; however I must suspend, at least, the matter with him; but you may rely on it that if the minister at this court, or any other agent, be authorized fully to deal in the business, and, if the court will not readily agree to a new arrangement respecting the debt, to contract with individuals, that the matter can be yet managed in the manner above mentioned, provided it be not too long delayed. As to the loan which the commissioners have undertaken of their own heads, you may, I think, derive great advantage from it; for in the first place, your minister or agent can make terms with them to that amount at pleasure, for the benefit of the United States; and you may, in the next place, convert the money to very useful purpose by sinking three or four times as much of the domestic debt, and raising the price at the same time towards par, which will prevent the success of speculations by foreigners which are a loss to America.

I am very truly, &c.,

GOUVERNEUR MORRIS.

GENERAL LINCOLN TO HAMILTON.

Boston, Feb. 16, 1790.

Dear Sir:

To reduce things involved in confusion to a state of order, in all cases requires labor and attention. The task is increased by the magnitude of the object, and is rendered perplexing indeed, where there are a deficiency of means, and where different interests, ably supported and stubbornly adhered to, must be combined for the completion of the system in view. To devise a scheme which shall at once embrace all the great objects necessary to the restoration of our character and importance abroad, and for the preservation of peace and happiness at home, and to bring it forward with that address and fairness which shall unite the whole, is one of the greatest burdens, the performance of which has ever been assigned to any of the officers of the United States. Fortunate for the Union the heavy task is yours.

Permit me to say to you, sir, and think it not the language of adulation, that notwithstanding the expectations of the people on your appointment, were, from a knowledge of your abilities, raised to a very extraordinary height, yet they suffered no disappointment from seeing your report, saving those who are unfriendly to the great arrangements necessary to be embraced for the political salvation of this country. Our best citizens are very desirous of adopting your plan, and their only anxiety now arises from an apprehension lest Congress should so mutilate it as to destroy its leading and ornamental features, and the necessary and beautiful connection of its parts, and thereby render it, like all other of our plans of finance, unsystematical, imperfect, and insecure.

I have attended to the observations of various writers in the public newspapers, who seem disposed to question the propriety of your report. I am pleased that neither of them have ventured fairly to represent you, or have dared fully to meet your arguments. A thousand such writers will never lose you a friend in this part of the United States, or lessen your interest here. I

know you have a crowd of admirers among us, who never will forsake you, while you are permitted to act yourself.

Suffer me to hope, that if Congress, blind to the interest of the Union, should so mangle your system as that you could be no longer responsible for the efficacy of it, that you would leave them to attempt an execution of their own plans. If they do not effect it, the blame must fall on themselves, as it ought to do; and you reserved, uncensured, for a pilot in a season, yet more boisterous and distressing than is the present, to which I think we shall rapidly hasten, if your report should be rejected. Although I have thus expressed myself respecting your retiring from office, yet God forbid that any infatuation should so possess the minds of Congress as to make the measure necessary either for your own honor or the public good.

I have the honor of being, dear Sir,

With great esteem,

Your most obedient servant,

B. LINCOLN.

TENCH COXE TO HAMILTON.

PHILADELPHIA, March 5th, 1790.

DEAR SIR:

I find more difficulty like to arise in the minds of the members about the State debts than any other part of your report, as far as I can judge from my letters. All the public creditors here are against the assumption: those of the Continent, because it will increase the sum among the owners of which the federal revenues are to be divided; and those of the State, because they would rather take their chance with her than with the Union. It is unpleasing to our antis, because, they say, it will produce the old demon, *consolidation*, which they raised up as a bugbear to prevent the adoption of the Constitution. Many of the federalists and principal country gentlemen do not like it because we owe so little as a State and possess federal securities to a greater

amount. My argument with them all is, that the revolution of 1789, for as such I view it, was intended to settle a great number of public difficulties—that this was among them—and that it then was, and is now evident, that concessions of particular advantages would be necessary to enable us to surmount those difficulties—that this is one of the very few which Pennsylvania, New-York, and other States, having small separate debts, can be called upon to make—that an expensive and uncertain administration of our finances must be the consequence of fourteen systems of revenue, and therefore that we ought to consent to the assumption.

I have the honor to be,

With very great respect, dear Sir,

Your most obedient humble servant,

TENCH COXE.

COXE TO HAMILTON.

PHILADELPHIA, July 9th, 1790.

DEAR SIR:

I find by several letters from New-York, that the bill relative to the residence has hitherto stood its ground, which affords a further hope that this agitating business will be settled by the present attempt. It has really become necessary, for the government has been exceedingly depreciated by it even here. Many who consider it as a great object, still think it not worth the expense of time, money, and character, which it is like to cost.

The public creditors are to have a meeting this evening—but it is not much liked by some of the most judicious of them. It is suspected to have our elections as much as public credit for its object. I do not think, however, that it will do any harm. The assumption, if mentioned there, will be supported, I think, by a considerable strength. 'Tis probable it will be spoken of in the course of what will fall from the speakers. You may be satis-

fied, that the assumption has gained ground very considerably in this city, and that it will not lose the supporters it now has, who believe it the *sine qua non* of a satisfactory funding system. The hope of making better terms by a concert with the friends of assumption has made a pretty strong impression on the minds of several influential men to whom I have suggested it, though they think it will not be easy to make some of the strong opponents admit the idea.

I direct this letter to be sent down to you immediately, as the information on this last point will be satisfactory, and may be wanted.

I am, dear sir, your affectionate and obedient servant.

COXE TO HAMILTON.

SUNBURY, BUCKS, July 10, 1790.

DEAR SIR:

I am now at my father's, on my way to Jersey, to spend a day or two with my two eldest children, before I finish the time proposed for my absence.

The public creditors had a small meeting last night, and appointed a new standing committee. They appeared moderate and prudent, but solicitous for a good funding system. They did not attempt any business or resolutions, but left every thing to the discretion of this committee, according as events may prove. I think they will be pleased with an excise, and that the body of the people will not be averse to it. Some of the strict executive parts of the proposed law were the causes of their exceptions to it, but though they may be unpleasant, it is to be duly considered whether an equal collection could be effected without them. I find the principal creditors viewed the leaders of the opposition to the excise bill with jealousy, though they do not approve some parts of it.

I understand here that the principal man among the oppo-

nents to the assumption is Mr. Pettit, who was to set out for New-York to-day. I am of opinion that his objections to it would be much weakened, if he could be convinced, either that it is the *sine qua non* of funding, or that the terms of the new loan might, by its means, be meliorated.

Exchange has advanced in Philadelphia to 172½ or 3½ per cent. premium.

The importations of European goods are expected to be very great this autumn.

I inclose for my little friend, Philip, a copy of the Elements of Geography, which I mentioned, with my very respectful compliments to Mrs. Hamilton.

I have the honor to be, dear Sir,

Your affectionate and obedient servant,

TENCH COXE.

WHEELOCK TO HAMILTON.

DARTMOUTH COLLEGE, August 27th, 1790.

SIR:

The trustees of this literary institution have desired me to express their congratulations at the prosperous state of our national finances under your wise direction. They have desired me to communicate the high sense which they entertain of your talents and political knowledge.

Influenced by an exalted opinion of your merit, they make a tender of the highest honors that any university can confer. They beg, sir, your acceptance of the *Degree* of *Doctor* of the *Laws* of *Nature* and *Nations*. It is a testimony unequal to their respect; but it is the best within their power to give.

The Diploma will be completed and forwarded to you by some safe conveyance, so soon as may be convenient.

I have the honor to be, in behalf of the Board of Trustees,

Sir, your most obedient,

And very humble servant,

JOHN WHEELOCK.

PATERSON TO HAMILTON.

EDINBURGH, 30th September, 1790.

RESPECTED SIR:

When one of your abilities is placed in a station where you can be so useful to mankind, I hope it will not be thought too officious, by one who views the establishment of liberty in America with pleasure, to send you the following pamphlets, viz.:

1st. The state of the public debts of Britain, and a *plan of redeeming them*, by *Dr. Price*.

2d. Report of the Select Committee of the House of Commons on the Income and Expenditure of 1786.

3d. Book of Rates, which contains the Custom-House Duties.

4th. Yearly Tax Tables, which contain the Inland and Excise Duties.

Respected sir, though unknown to you, Dr. Witherspoon and Dr. Minto, of Princetown College, know me to be a firm friend to America. I was enticed, on reading the Report you gave into Congress, on the state of the finances, as in the Congressional Register, to send you these pamphlets. If you have seen them before, you can give those to whom you please.

It struck me that a great genius might like to see the works of their cotemporaries. Mr. Pitt, many in Britain think, to be too desirous of ruling among the nations, to be able to reduce the national debt, though the resources of the country are very great. I am happy to have the opinions I had of the resources of your country confirmed by the perusal of your speech. I have now only to beg your excuse for the freedom I have taken, and your valuable time I have consumed in the perusal of this. As I did not do it to be taken notice of, I therefore desire no answer. No, I did not wish to draw you into any correspondence. Wishing the national debt of Britain, America, and France reduced, and wishing you all manner of success,

I am, Sir, with due esteem and regard,

Your obedient servant,

SAM'L PATERSON.

LINCOLN TO HAMILTON.

BOSTON, December 4th, 1790.

DEAR SIR:

I received by the Wednesday post your private letter, with the newspaper containing the piece you referred to, which has been republished in a number of our newspapers.

The Virginia resolve is not very alarming here—much less so than might have been expected. Indeed it seems to have produced, in some instances, a good rather than an evil, by confirming the doubtful in the importance of a firm, energetic head to the Union, sufficiently strong to control the whole. I am much surprised at the policy and conduct of Virginia. She ought to remember that there are other States in the Union who were as early in the habits of resolving as they, and who have proved themselves as notable resolvers as perhaps any in the world. But what would be the consequence should the individual States, as soon as they found that the laws of the Union did not, in their opinion, operate in every respect towards them with the same mildness as they did towards some of their sister States, feel themselves authorized to call in question the power, and to attempt to counteract the doings, of Congress? We shall soon, whenever this comes into general practice, be without a federal government; and, with its fall, we shall probably be deprived, for ages to come, of the power of again assembling and forming a system for the general government of the United States by the voice of the people.

If instead of embracing the present Constitution with affection and gratitude, and giving it every possible support, we suffer it to be impaired by encroachments from different States, and finally lost, because the operation of every law framed under its influence doth not apply with equal advantage to every State, we shall, for the same reason, reject every system which can be formed for our government.

States, unequally divided as these States are, must, from the nature of things, beget an unequal representation, and, ex-

tending from North to South, must by their limits embrace various climates, yielding different productions, and thereby exciting different views among citizens of different States. Hence, laws having a general operation, may not render the most perfect individual justice. Yet it may not be very difficult to form a code of laws which, on the whole, shall effect this interesting purpose, and promote equally the happiness of the people at large.

I hope and trust, that the different States will not ape the doings of the Assembly of Virginia. They may suppose that being dissatisfied with the acts of Congress, they had a right publicly to express that dissatisfaction, in the manner in which they have done. I very much doubt their right. I hope it will not become a general practice for the Assembly of the several States publicly to decide on the doings of Congress. Should this mode generally be adopted, resolutions for and against their measures would be constantly crowding before them, keep the minds of the people at large in a constant state of ferment and irritation; and lead things out of their proper course of system and order, into channels filled with obstructions, and would fast progress towards an unfriendly termination.

It appears to me that there never was a period when the United States had a brighter sun of prosperity, and nothing but folly in the extreme can cloud the prospect. It is pleasing indeed to see the general satisfaction which reigns among every class of citizens in every part of the Union. The earth has yielded an abundant increase, by which, after a full supply to all, there is a large surplus which finds a ready market, and commands a satisfactory price. The merchant is finding an advantageous sale for his imports, and the means of discharging his foreign obligations, while it has been optional with the husbandmen in general, to receive their pay in specie or not, for their produce. In short, our agricultural interest smiles, our commerce is blessed, our manufactures flourish, and every man, in some way or other, has a tender of a full employ, and a just compensation for his labor.

These, I think, are the generally received opinions, and our flattering situation is justly described by many, to be owing,

under the great source of good, to the just and equal operations of the new government. I think Congress has nothing to do, but to pursue with fortitude the system it commenced, firmly adhere to it, and all, I have no doubt, will terminate according to the best wishes of those who love the government most.

I have the honor of being,
Dear Sir, with great esteem,
Your affectionate friend,
B. LINCOLN.

M'HENRY TO HAMILTON.

BALTIMORE, 3d January, 1791.

MY DEAR SIR:

You may think I have neglected you from my long silence; but I can assure you I have never forgot you. Having withdrawn myself from every thing of a public nature, this has led me to endeavor to reduce my pleasures as much as possible to a small compass, and thus to neglect many correspondents, for whom I entertain the liveliest affection.

That I love and esteem you, I know you will believe without my repeating it. Your career as yet has been glorious. I wish sincerely that nothing adverse may interrupt it.

You owe this short reassurance of my regards to Captain Baring, who has a desire to be personally known to you. I introduce him with pleasure. He is a man of many valuable qualities, and well known for his distinguished services during the war. As yet, however, he is to receive his reward. I believe he goes up to Congress with the intention to petition for commutation, and the expenses incurred in his captivity.

Pray present me to Mrs. Hamilton. I have learned from a friend of yours, that she has, as far as the comparison will hold, as much merit as your treasurer, as you have as treasurer of the wealth of the United States. Adieu, my dear Secretary, and believe me unchangeably yours.

I approve of your bank plan. I see you have accommodated a little; but it is under such restrictions as cannot let it injure.

HAMILTON TO SETON.

PHILADELPHIA, January 18th, 1791.

MY DEAR SIR:

I have learnt with infinite pain the circumstance of a new bank having started up in your city. Its effects cannot but be in every way pernicious. These extravagant sallies of speculation do injury to the government, and to the whole system of public credit, by disgusting all sober citizens, and giving a wild air to every thing. 'Tis impossible but that three great banks in one city must raise such a mass of artificial credit, as must endanger every one of them, and do harm in every view.

I sincerely hope that the Bank of New-York will listen to no coalition with this newly engendered monster; a better alliance, I am strongly persuaded, will be brought about for it; and the joint force of two solid institutions, will, without effort or violence, remove the excrescence which has just appeared, and which I consider as a dangerous tumor in your political and commercial economy.

I express myself in these *strong terms* to you confidentially, not that I have any objection to my opinion being known, as to the nature and tendency of the thing.

Yours, with real regard, &c.

SETON TO HAMILTON.

NEW-YORK, 3d February, 1791.

DEAR SIR:

The letters you intrusted to my care relating to our *Senator*, were duly delivered, as you would find by the answer our friend

D——— wrote you; but the point had been absolutely decided long before. The other party had been undermining for months, and the coalition between the Governor and Chancellor secured the election. All your friends here lamented it, foreseeing the impediments it would throw in your way. Some say he will act otherwise; but what is bad in the bone will appear in the flesh. I anticipate (though no politician) great opposition to every salutary system.

The goldsmiths inform me, contrary to your expectation, and contrary to what would seem reasonable, that the standard they mean in the assays is British standard, which is eleven parts pure gold, and one part alloy.

* * * * * * *

P. S. Of the last bills on Amsterdam, we have sold 81,000 guilders—hope to run off the remainder of the 200,000 in a few days.

HAWKINS TO HAMILTON.

SENATE CHAMBER, 16th February, 1791.

DEAR SIR:

I have just received an authentic copy of the resolutions of the General Assembly of North Carolina, which I showed to you in a newspaper some time past, containing, among other items, the following instructions to the Senators from that State.

"Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress."

Being of opinion that the Constitution marks the line of my duty, and that it is obligatory on my honor to make my own judgment the ultimate standard, after paying suitable respect to the opinions and observations of others, I have acted in conformity on a recent occasion.

Although it is much to be wished that a discussion of this sort should never have happened, yet in the present case being inevitable, a right decision is of the utmost consequence to the

Union. If the States have a right to instruct, why are we bound by oath to support the Constitution?

As no one has contributed more than yourself to the elucidation of the principles of the government, I take the liberty to request the favor of you, if you should have leisure from the important functions of your office, to give me your opinion on this subject.

I have the honor to be, with the highest respect, dear Sir,

Your most obedient, humble servant,

BENJAMIN HAWKINS.

MIRANDA TO HAMILTON.

LONDON, le 5 Avril, 1791.

MON CHER TRESORIER GENERAL:

Ayez la bonté d'agréer mes complimens, et mes respects, dans l'occasion du départ de notre mutual ami le Col. Smith, qui a passé quelques semaines dans cette Capitale ici; qui m'a fait l'amitié de passer bien des moments ensemble, et à qui, j'ai eu le plaisir de voir parfaitement accueilli par tout le monde qui l'a connu antérieurement, et vit dans l'occasion actuelle.

Il pourra vous dire l'étrange Sistheme Politique que l'Angleterre poursuit actuellement, &c.——et je peux vous assurer que vos *Plans* des finances; de Banc National; des Collections des taxes, &c., non seulement ont mérité l'admiration des gens de la plus grande considération ici; mais ils ont donné aussi la plus haute idée du Nouveau Gouvernement, qui se conduit à cet égard par des principes *d'honneur* et de *dignité* très peu communes dans les gouvernemens modernes. Je vous en félicite de tout mon cœur, en attendant que les progrès rapides de vos institutions produisent une prospérité générale dans ce *Pais-fortuné*, et votre bonheur éternel, qui est le prix immanquable.

Portez-vous bien toujours—donnez-moi de vos nouvelles (si vos occupations vous le permettent), et croyez-moi sincèrement,

Le Votre,

T. DE MIRANDA.

HAMILTON TO ———

PHILADELPHIA, April 10, 1791.

SIR:

Your letter of the 5th of March duly came to hand, though not till after the arrangement for the execution of the act mentioned in your letter had been made.

I wish you not to consider it a mere compliment when I say that the light in which your character stands could not fail to have brought you into view in that arrangement. And could you be minutely acquainted with every circumstance that in the President's mind inclined the balance a different way, you would find no reason to be dissatisfied with the estimation in which you have been held. You are well aware that in a comparison of the pretensions of men of merit collateral considerations may be often justly allowed to turn the scale.

Suffer me to add that in the course of those future opportunities which may be expected to occur, it would give me a pleasure, as far as may be in my power, to be instrumental in furnishing you with a proper occasion for the exercise of your talents and zeal in the service of the national government.

With much consideration and esteem,

I have the honor to be, Sir, your obedient, &c.

HAMILTON TO WASHINGTON.

PHILADELPHIA, April 17, 1791.

You will probably recollect that previous to your departure from this place, anticipating the event which has taken place with regard to the death of Mr. Eveleigh, I took the liberty to mention to you that Mr. Wolcott, the present auditor, would be in every respect worthy of your consideration, as his successor in office.

Now that the event has happened, a concern as anxious as it was natural, for the success of the department, united with a sentiment of justice towards Mr. Wolcott, leads me to a repetition of that idea. This gentleman's conduct in the station he now fills, has been that of an excellent officer. It has not only been good, but distinguished. It has combined all the requisites which can be desired: moderation with firmness, liberality with exactness, indefatigable industry with an accurate and sound discernment, a thorough knowledge of business, and a remarkable spirit of order and arrangement. Indeed I ought to say that I owe very much of whatever success may have attended the merely executive operations of the department to Mr. Wolcott; and I do not fear to commit myself, when I add that he possesses in an eminent degree all the qualifications desirable in a Comptroller of the Treasury—that it is scarcely possible to find a man in the United States more competent to the duties of that station than himself—few who could be equally so. It may be truly said of him, that he is a man of rare merit, and I have good evidence that he has been viewed in this light by the members of Congress extensively, from different quarters of the Union, and is so considered by all that part of the public who have had opportunities of witnessing his conduct.

The immediate relation too, which his present situation bears to that of Comptroller, is a strong argument in his favor. Though a regular gradation of office is not admissible in a strict sense, in regard to offices of a civil nature, and is wholly inapplicable to those of the first rank, (such as the heads of the great

executive departments,) yet a certain regard to the relation which one situation bears to another, is consonant with the natural ideas of justice, and is recommended by powerful considerations of policy. The expectation of promotion in civil as in military life, is a great stimulus to virtuous exertion, while examples of unrewarded exertion, supported by talent and qualification, are proportionable discouragements. Where they do not produce resignations, they leave men dissatisfied, and a dissatisfied man seldom does his duty well.

In a government like ours, where pecuniary compensations are moderate, the principle of gradual advancement as a reward for good conduct, is perhaps more necessary to be attended to, than in others where offices are more lucrative. By due attention to it, it will operate as a means to secure respectable men for offices of inferior emolument and consequence.

In addition to the rest, Mr. Wolcott's experience in this particular line pleads powerfully in his favor. This experience may be dated back to his office of Comptroller of the State of Connecticut, and has been perfected by practice in his present place.

A question may perhaps, sir, arise in your mind, whether some inconvenience may not attend his removal from his present office. I am of opinion that no sensible inconvenience will be felt on this score, since it will be easy for him as Comptroller, who is the immediate superior of the auditor, to form any man of business for the office he will leave, in a short period of time. More inconvenience would be felt by the introduction of a Comptroller not in the immediate train of the business.

Besides this, it may be observed that a degree of inconvenience on this score cannot be deemed an obstacle, but upon the principle which would bar the progress of merit from one station to another.

On this point of inconvenience a reflection occurs, which I think I ought not to suppress. Mr. Wolcott is a man of sensibility, not unconscious of his own value, and he doubtless must believe that he has pretensions from situation to the office. Should another be appointed, and he resign, the derangement of the department would truly be distressing to the public service.

In suggesting thus particularly the reasons which in my mind operate in favor of Mr. Wolcott, I am influenced by information that other characters will be brought to your view by weighty advocates, and as I think it more than possible that Mr. Wolcott may not be mentioned to you by any other person than myself, I feel it a duty arising out of my situation in the department, to bear my full and explicit testimony to his worth, confident that he will justify by every kind of *substantial* merit any mark of your approbation which he may receive.

I trust, sir, that in thus freely disclosing my sentiments to you, you will be persuaded that I only yield to the suggestions of an honest zeal for the public good, and of a firm conviction, that the prosperity of the department under my particular care, (one so interesting to the aggregate movements of the government,) will be best promoted by transferring the present auditor to the office of Comptroller of the Treasury.

I have the honor to remain,

With the truest and most respectful attachment, Sir,

Your most obedient, &c.

HAMILTON TO PINTARD.

PHILADELPHIA, April 23d, 1791.

DEAR SIR:

Your letters of the 7th of December and 19th of January have come duly to hand.

What you mention concerning manifests and certificates of drawbacks certainly merits consideration. When the collection law originated consuls were not yet appointed. You will oblige me by freely intimating whatever occurs to you for the benefit of our trade and revenue laws; whether arising from your observations on the practice of other countries, or from your own reflections.

HAMILTON TO GOODHUE.

PHILADELPHIA, June 30th, 1791.

MY DEAR SIR:

As Mr. Cone, who, I think, informed me he had a letter from you on the same subject, undertook to say all that could be said in relation to Mr. Gray's affair, I permitted the hurry of business to keep me silent. Nothing further concerning the affair has since come to me, so that I am wholly ignorant what turn it may have taken. It must have given you pleasure to learn how much the Constitution of the United States, and the measures under it, in which you have had so considerable an agency, have contributed to raise this country in the estimation of Europe. According to the accounts received here, the change which has been wrought in the opinion of that part of the world respecting the United States is almost wonderful. The British Cabinet wish to be thought disposed to enter into amicable and liberal arrangements with us. They had appointed Mr. Elliott, who on private considerations had declined; and it is affirmed from pretty good, though not decisive authority, that they have substituted a Mr. Hammond, and that his arrival may shortly be expected. I would not warrant the issue, but if some liberal arrangement with Great Britain should ensue, it will have a prodigious effect upon the conduct of some other parts of Europe. It is, however, most wise for us to depend as little as possible upon European caprice, and to exert ourselves to the utmost to unfold and improve every domestic resource.

In all appearance, the subscriptions to the Bank of the United States will proceed with astonishing rapidity. It will not be surprising if a week completes them.

With very great esteem and regard,

I remain, dear Sir,

Your obedient servant,

A. HAMILTON.

HAMILTON TO BAYARD, LOW, AND BOUDINOT.

1791.

GENTLEMEN:

I have had a full conversation with General Schuyler on the subject of the several propositions which have been under consideration respecting the locations of the buildings for the manufactory. My original impressions on this point have been confirmed by subsequent examination, and I now entertain no doubt, that the most advisable course is to abandon for the present the idea of a canal, and to erect the necessary buildings near the great falls.

It is not clear to me, that the advantages of pursuing the canal plan would at any rate compensate the differences of expense; but I think it very evident, that to attempt it, in the first instance, would disable the company from prosecuting with adequate means, the subsequent arrangements necessary to the manufactory.

As to the location of the district or township, I think it ought to comprehend the *Little Falls*, and the head of the navigation of the Passaic; and ought to embrace both sides of that river—the whole distance between those two points. As to the rest, the more compact it is, and consequently the more nearly in a square the better. Many local circumstances unknown to me must decide the precise form. I once thought it might be well to take three miles by twelve on the Passaic, but on further reflection, I see no solid advantage in such an extension in length, and there would be an obvious convenience in a more compact form. The police of the district, in particular, can be much better regulated.

Permit me to suggest that as soon as a location is made, a meeting of the directors ought to be called at a very short day. Many things pass, and much will depend on going forward henceforth with order and dispatch.

With very great esteem and confidence, &c.

PHILADELPHIA, July 2d, 1791.

MRS. MARTHA WALKER:

MADAM—Mr. Ames has conveyed to me your letter of the 9th of May.

Hitherto it has not been in my power to consider the merits of your application to Congress, but you may be assured of its being done so as to admit of a report at the commencement of the ensuing session.

While I dare not encourage any expectation, and while my conduct must be determined by my sense of official propriety and duty, I may with great truth say that I shall enter into the examination with every prepossession which can be inspired by favorable impression of personal merit, and by a sympathetic participation in the distresses of a lady, as deserving as unfortunate.

With great consideration, I am, Madam,

Your obedient servant,

A. H.

HAMILTON TO RUFUS KING.

July 8, 1791.

MY DEAR SIR:

I received your letter on a certain subject, and was obliged by it. But there was nothing practicable by way of remedy.

The thing, as it has turned out, though good in the main, has certainly some ill sides. There have also been faults in the detail, which are not favorable to complete satisfaction. But what shall we do? 'Tis the lot of every thing human to mingle a portion of evil with the good.

The President, as you will have seen, has returned. His journey has done good as it regards his own impressions. He is persuaded that the dispositions of the southern people are good, and that certain pictures which have been drawn, have been strongly colored by the imagination of the drawers.

We have just heard from the westward, but of no *event* of importance. Things are said to have been in good preparation; the people of Kentucky wonderfully pleased with the government, and *Scot*, with a corps of ardent volunters, on their route to demolish every savage, man, woman and child.

On Tuesday next I expect to leave this for New-York, with Mrs. Hamilton.

Sincerely yours.

FISHER AMES TO HAMILTON.

BOSTON, July 31, 1791.

DEAR SIR:

I gave your letter, addressed to Mrs. Warren, into the hands of her husband, and though you inform me something pretty was in it, I cannot believe it was a love-letter. I told him that I was desired to subscribe for you to her poetical work. I shall take half a dozen books, which I presume will be as much poetry as you will consume, and will carry the compliment as far as it will bear with any appearance of sincerity.

Mrs. Walker lives in the country; I have sent your letter to her. I hope your inquiries will find proper ground to allow her petition.

You make mention of the bank in your favor of the 2d of July. The eagerness to subscribe is a proof of the wealth and resources of the country, and of the perfect confidence reposed by our opulent men in the government. People here are full of exultation and gratitude. They know who merits the praise of it, and they are not loth to bestow it. But, with all this good temper, many lament that the Philadelphians have engrossed so much of the stock, and have so divided the shares as to multiply *their* notes. They believe that there was management and partiality in the commissioners. They wonder that of the five, the three Philadelphians only attended. Suffer me to write unreservedly.

Mr. * * * * name is mentioned for President. It is said that he is President of the North American Bank; that his name will be useful to the circulation, that his appointment would quiet —perhaps destroy a faction in the city. Allow me to state the other side of the question. They urge here, that the President ought to be free from all suspicion of management—above the influence of favorites—that Mr. Morris, whom they fear as a man of talents and intrigue, with his connections, will make a property of this man, and govern him at their pleasure. I fear that his appointment would create a faction here. His friends will not pretend that he has talents to make him worth forcing upon the stockholders in the eastern quarter. An idea that the bank will be hazarded by partiality to men who will make desperate speculations, would be a bad one to get a currency. The President and Directors should be solid and fair. I only wish to have you possessed of the fact, that our prudent and respectable stockholders will entertain the opinions I have suggested; and I leave it to your judgment whether Mr. * * * * is a proper man for President.

If the bank would do business for five per cent., they would do a great deal more, and with safer people. They would overpower the State banks by giving borrowers better terms. I have had my fears that the State banks will become unfriendly to that of the United States; causes of hatred and rivalry will abound, the State banks will narrow the business of the United States Bank, and may become dangerous instruments in the hands of State partisans, who may have had points to carry. I will not expatiate. The occasion is a favorable one. The Bank and the United States Government at this moment possess more popularity than any institution or government can maintain for a long time. Perhaps no act of power can be done to destroy the State banks, but if they are willing to become interested individually, I mean the State stockholders, and to establish sub-banks, so as to absorb the funds and contract the business of the local banks, why should any measures be adopted to support the local banks to the prejudice of my hypothesis? or why should cold water be thrown upon the plan of sub-banks? Mr. * * * * and the Phila-

delphians are thought unfriendly to this idea, perhaps it may be attended with some hazard; but if it must fail, let it not be charged to local prejudice, but to solid reason.

I have lately conversed with a judicious, respectable friend, on the subject of the bank in this town. The justness of his sentiments, or their coincidence with my own, induced me to request his ideas in writing. He has complied, and I inclose them. They were the offspring of a moment, and were intended for me only. You will read them with due allowance for the manner of their production.

The success of the government of the United States, and especially of the measures proceeding from your department, has astonished the multitude; and while it has shut the mouths, it has stung the envious hearts of the State leaders. All the influence of the moneyed men ought to be wrapped up in the Union, and in one bank. The State banks may become the favorites of the States. They, the latter, will be pressed to emulate the example of the Union, and to show their sovereignty by a parade of institutions, like those of the nation. I intended to be concise, and by writing in haste I have been lengthy.

The distillers have answered a letter from New-York, desiring them to shut up their distilleries, &c., with proper disapprobation. Some increase of the duty on West India spirits, and some amendment of the excise system, I presume would be proper. It is what they expect, and their late conduct has a claim to merit.

Your plan relating to manufactories is not yet generally known here. I think it will be popular. Have you any objection to a similar incorporation in New England? Some object that agriculture better merits encouragement, and that domestic manufactories will be injured by the Company. I do not think these topics unanswerable.

I regret it, that when the funding act passed, the stock had not been declared free from tax. Some inconvenience and vexation, I fear, will spring from this neglect. The assessors are in some places disposed to pry into the entries at the custom-house, and the loan office books.

I write,—meaning that you only should read,—but I am not sure that the sentiments deserve your perusal. I will not desire an answer. I know your time is occupied sufficiently.

I am, dear Sir, with sentiments of esteem and regard,

Your very obedient humble servant,

FISHER AMES.

HAMILTON TO KING.

August 7th, 1791.

Your letter of Monday evening has a good deal tranquillized me. I am glad to learn that the mischiefs from the over use of scrip are not likely to be very extensive.

I observe what you say respecting the quotation of my opinion. I was not unaware of the delicacy of giving any, and was sufficiently reserved until I perceived the extreme to which bank scrip, and with it other stock, was tending. But when I saw this, I thought it advisable to speak out—for a bubble connected with any operation is, of all the enemies I have to fear, in my judgment the most formidable—and not only not to promote, but as far as depends on me, to counteract delusions, appears to me to be the only secure foundation on which to stand. I thought it expedient, therefore, to risk something in contributing to dissolve the charm. But I find that I have been misquoted. Speaking of sales on time at seventy-four shillings for 6 per cent., &c., I think it probable I may have intimated an opinion that they went faster than could be supported. But it is untrue that I have given as a standard prices below those of the market, as mentioned by you. On the contrary, my standard, on pretty mature reflection, has been and is nearly as follows:—

For bank scrip	195
6 per cents	22
3 per cents	12
Deferred	12 8

I proceed on the idea of 5 per cent interest—taking at the same time into calculation the *partial irredeemability* of the 6 per cents.

I give you my standard that you may be able, if necessary, to contradict insinuations of an estimation on my part short of that standard—for the purpose of depressing the funds.

Yours, sincerely and affectionately,

A. HAMILTON.

HAMILTON TO SETON.

PHILADELPHIA, August 16th, 1791.

I send you herewith an official letter; this private one I write as explanatory of it. I hardly expect that you will be able to procure the debt within the limits prescribed, and yet I do not know what effect the imprudent speculations in bank scrip may produce. A principal object with me is to keep the stock from falling too low in case the embarrassments of the dealers should lead to sacrifices; whence you will infer that it is not my wish that the purchases should be below the prescribed limits, yet if such should unfortunately be the state of the market, it must of course govern. The limits assigned for the purchases of 3 per cents and deferred debt are founded on a calculation of the government rate of interest being 5 per cent; the same rule has not been extended to the stock bearing an immediate interest of 6 per cent, because the government have a right to redeem it at par in certain proportions; and though to individual purchasers it is worth more than par, because a part only can be redeemed, yet it is not at present the interest of the government to give more than par for it, because of the right to redeem a part. Indeed, the law limits the commissioners in this particular. You will recollect that the act requires that the purchases should be made openly; this has been construed to mean by a known agent, for the public: when you make a purchase, therefore, it will be proper that it should be understood that it is on account of the

United States, but this need not precede the purchase; and it will be best that there should be no unnecessary demonstration, lest it should raise hopes beyond what will be realized.

HAMILTON TO DUER.

PHILADELPHIA, August 17th, 1791.

MY DEAR FRIEND:

I have received your two letters of the 12th and 10th.

The subscription-book for the Manufacturing Society did not remain with me nor with either of the two gentlemen who came on with me. Is it with neither of those who accompanied you? If it is not, it must have been left at Brunswick, and you will do well to write to some trusty person there to look it up and send it to you. I am impatient for the alterations which were agreed upon, and a list of the subscribers.

La Roche may go to Scioto, if he can be back in the time you mention.

I fear that in the hurry of writing my letter on the subject of bank scrip, I must have expressed myself more strongly than was intended.

The conversation here was, "Bank scrip is getting so high as to become a bubble," in one breath; in another, "'Tis a South Sea dream;" in a third, "There is a combination of knowing ones at New-York to raise it as high as possible by fictitious purchases, in order to take in the credulous and ignorant;" in another, "Duer, Constable, and some others, are mounting the balloon as fast as possible—if it don't soon burst thousands will rue it," &c., &c.

As to myself, my friend, I think I know you too well to suppose you capable of such views as were implied in those innuendoes or to harbor the most distant thought that you could wander from the path either of public good or private integrity. But I will honestly own, I had serious fears for you—for your *purse* and for your *reputation;* and with an anxiety for both I wrote to

you in earnest terms. You are sanguine, my friend. You ought to be aware of it yourself, and to be on your guard against the propensity. I feared lest it might carry you further than was consistent either with your own safety or the public good. My friendship for you, and my concern for the public cause, were both alarmed. If the infatuation had continued progressive, and any extensive mischiefs had ensued, you would certainly have had a large portion of the blame. Conscious of this, I wrote to you in all the earnestness of apprehensive friendship.

I do not widely differ from you about the real value of bank scrip. I should rather call it about 190 to be within bounds, with hopes of better things, and I sincerely wish you may be able to support it at what you mention. The acquisition of too much of it by foreigners will certainly be an evil.

Yours, sincerely and affectionately,

A. HAMILTON.

WM. DUER, Esq.

PEARSON TO HAMILTON.

CAMBRIDGE, September 10th, 1791.

SIR:

I feel myself happy in the honor of acquainting a gentleman of Mr. Hamilton's merited distinction, that the American Academy of Arts and Sciences has elected him a Fellow; of which the instrument herewith transmitted is a certificate, executed in the usual form.

With sentiments of highest esteem,

I have the honor to be, &c.

SETON TO HAMILTON.

NEW-YORK, September 12th, 1791.

DEAR SIR:

I had the pleasure to receive your letter of the 7th by Mr. Eddie on Friday morning, but not early enough to answer you with propriety by that post. The bearer of the letter I apprehend knew or conjectured the contents, as it flew over the town like wildfire that I had orders to purchase. Therefore, before I got to the coffee-house, at noon, every one was prepared, and no one would offer to supply at less than the former price. I thought it prudent to accept at that; and, to diffuse the benefit, I divided the purchases into 5,000 dollar lots, and held them at that, so long as to give every one a chance; and be assured it has been a very great relief. Scrip, since I wrote you last, has been down to 110, and great sacrifices made. Saturday and to-day they have gone at 135 to 145, and rather bear the appearance of rising. They are now getting into the proper hands, and I have no doubt will soon come up to their real value, if the price of the other funds can be now and then supported by your purchases. You have the blessings of thousands here; and I feel gratified, more than I can express, at being the dispenser of your benevolence.

HAMILTON TO WASHINGTON.

PHILADELPHIA, October 11th, 1791.

SIR:

Lord Wycomb having mentioned to me his intentions to pay you his respects at Mount Vernon, I beg your permission to present him to you.

The personal acquirements and merits of his lordship conspire, with a consideration for the friendly dispositions and lib-

eral policy of his father, the Marquis of Lansdown, towards this country, to constitute a claim in his favor to cordial notice.

I have the honor to be,

With the most respectful attachment, &c.

FRY TO HAMILTON.

LONDON, November 2d, 1791.

DEAR SIR:

The interest you must necessarily take in all information relative to the state of American credit in Europe—having so essentially contributed to its establishment—induces me to communicate some facts, which, from peculiar circumstances, I am possibly better acquainted with than most others. The American funds had inspired no confidence in this market, till they had acquired a high price at home; and three months ago, a sale of them must have been effected here with the greatest difficulty. The case is now so materially altered, that one friend of mine has bought and sold nearly a million of dollars—chiefly 6 per cent. stock—and another about half that amount, at prices gradually increasing from 98 to 120 per cent.; which latter price, when exchange is at 175 per cent. in Philadelphia, is equal to 25*s*. Three per cents have also risen, and are now at from 72 to 75 per cent.; and it appears to me that no fluctuations in America will have any essential influence on the rates in this market, whilst the sources of revenue on which the interest depends remain productive and secure. The orders from France for American stock in London, would, indeed, much enhance the present price, had not such unfavorable accounts of stock been lately received in Philadelphia; nevertheless, the price does not sink, because nobody here knows what to do with money. If it be an object with you, sir, now the funds bear so fair a price, to promote the sale of them here, *that the incumbered landholder* in America may eventually feel the

benefit of that capital which, in this city, is superabundant and unproductive, it can easily be effected by any plan for the payment in London of interest on them, which shall be known, as I hinted to Mr. Tench Coxe, to be honored with your patronage. This view may also be promoted by facilitating foreign transfers. When I left Philadelphia, in August last, I had heard much of the little value of money in this, my native city; but the facts which, since my arrival, have come to my immediate knowledge, have, neverthless, surprised me. The market rate of interest is really before 4 per cent.; and for any uncertain periods, money will scarcely command 2½ per cent. per annum. ALL the American stock in Holland is effectually locked up from sale, by deposits as security for loans, notes for which are circulated, with private engagements for the interest, that command 130 per cent. The plans on which these loans have been obtained are various, but all immensely advantageous to those who purchased certificates, and borrowed, in this way, to continue their purchases. I have sent some considerable orders to Philadelphia for stock, and besides have offered, whilst I remain in London, to sell for those friends of mine who wish it, at a half per cent. commission, which I hope will contribute to relieve the American market.

I shall be very sorry if this short address trespass too much on the time you so advantageously employ in the service of our country, to the real aggrandizement of your ministerial reputation at home and *abroad.* A desire to communicate serviceable information, if in my power, is my sole motive for writing. I shall not return to settle in Philadelphia before June next. If any thing very important on these subjects should occur, I may still take the liberty of hazarding intrusion on a moment of your leisure.

I am, with the highest personal respect, &c.

DAVIE TO HAMILTON.

HALIFAX, N. C., Nov. 17, 1791.

SIR:

I mentioned to my friend, Judge Iredell, when I saw him last at Newbern, my intention of moving our next assembly to address Congress on the subject of receiving our *paper* money in the revenue of the United States collected in this State, and requested him to have a conversation with you on the business, that I might avail myself of your opinion of its propriety and success.

This measure has been suggested to me by the objections that are made here to the collection of excise in *specie;* the real difficulty with which I foresee it will be attended; and its certain operation on the value or exchange of our paper currency. But independent of the policy and convenience of such a measure, I think the State may very well require it of Congress as a matter of justice. The first emission of this money was made for the express purpose of paying the Continental line; the second, to purchase tobacco to pay the interest of the federal debt; and to answer these purposes more effectually, both emissions were made a tender in discharge of private contracts, and have been so received. It is also to be observed that both these emissions, amounting to two hundred thousand pounds, were made several years before the constitution was formed, and that this encumbrance made a part of our political situation at its adoption, and had grown out of the old confederation. So that, leaving this State to struggle with the task of supporting the credit of this money, even against the measures of Congress, surely has the appearance of great injustice, especially after a general assumption of the State debts.

The effects of such a measure would, I am certain, be highly beneficial to the people of this country, and I think not injurious to the general government. The paper money which is now generally at ten shillings to the dollar, would rise instantly to *par*, a benefit the people would attribute to its proper cause.

The commercial part of the State would be relieved from great and very distressing difficulties, and the demand for *specie*, created by the duties, would no longer operate injuriously on the value of our paper money. It would effectually remove the only rational ground of complaint made against the excise in the interior and western parts of the State; that is, the difficulty, or, as they say, the impossibility of procuring specie sufficient to pay that tax, and would also prevent a very delicate and perhaps dangerous question that must otherwise soon arise on executions issuing from the federal court. These appear to me as objects of some moment, and, I take it, form only a part of the good consequences of this measure.

There are not more than £140,000 now in circulation, the balance having been taken up by the sinking fund and destroyed, and as the money would certainly rise to par, I think the federal treasury would run little risk in receiving it; and I cannot prevail upon myself to entertain the idea that the general government is so unwieldy a machine as to be incapable of being accommodated to the interests and situations of the different States.

Our Assembly meet at Newbern the first Monday of December, and should you think proper to write to me on this subject, you will please to direct to me at that place. I would undertake that the State shall give the most satisfactory assurances that the sinking fund tax shall be continued, and that the Assembly will pass any other law that might be necessary to secure the Treasury of the United States.

I know very well that gentlemen in official situations are in the habit of respecting no communication but such as wears the garb of confidence or office. I have no claim to either footing, and was I not well persuaded, even from the slight acquaintance I have with you, that you possess a mind of a very different cast, I should not have troubled you with this letter.

I have the honor to be,

With great respect,

Your most obedient,

WILLIAM DAVIE.

FITZGERALD TO HAMILTON.

ALEXANDRIA, Nov. 21, 1791.

MY DEAR SIR:

It is with great reluctance I write you, particularly as Congress is sitting, and I am satisfied you have full employment for every moment of your time; yet I cannot forbear soliciting your kind assistance in favor of establishing a Branch of the National Bank in this town, to effect which a memorial is forwarded to the Directors, stating some of the advantages which would result to the public from it.

I flatter myself, that from the Collector's returns made to you, the importance of our trade will justify us in this request. Add to this, that within these last twelve months we have had a very great accession of inhabitants. The improvements, made and making, for the accommodation and safety of shipping, are very considerable, and no town in the United States has a more extensive and fertile back country for its support. These reasons, joined with what is set forth in the memorial, will, I hope, induce you to think with me, that a Branch of the Bank, established here, will afford benefit to the public, as well as to that part of the community more immediately connected with the place; and be assured, that were not these my real sentiments, I would not, (interested as I am in the event,) request you to support the measure. If time permits I shall be happy in a line from you on this subject.

Believe me to be, with unfeigned regard and esteem,

Dear Sir,

Your most obedient servant,

JOHN FITZGERALD.

HAMILTON TO SETON.

November 25, 1791.

My Dear Sir:

I seize the first moment of leisure to answer your letter of the 21st inst. Strange as it may appear to you, it is not more strange than true, that the whole affair of Branches was *begun*, *continued*, and *ended*, not only without my participation, but *against my judgment.*

When I say against my judgment, you will not understand that my opinion was given and over-ruled, for I never was consulted; but, that the steps taken were contrary to my private opinion of the course which ought to have been pursued.

I am sensible of the inconveniences to be apprehended, and I regret them, but I do not know that it will be in my power to avert them.

Ultimately, it will be incumbent on me to place the public funds in the keeping of the Branch; but it *may be depended upon*, that I shall *precipitate nothing*, but shall so conduct the transfer as not to embarrass or distress your institution. I have not time to say more at present, except that if there are *finally* to be two institutions, my regard for you makes me wish you may feel yourself at liberty to take your fortune with the Branch which must preponderate.

With great regard,

I remain yours, &c.,

A. H.

CABOT TO HAMILTON.

December 18th, 1791.

It is well stated by a gentleman who has examined the subject, that in 1784, the British government having taken measures for drawing over to their service the whale fishermen of

the United States, the government of France at once saw the danger of suffering her great maritime rival to acquire the advantage of 4 or 5000 excellent seamen, and with them an art of immense value in marine consideration, (as the nursery of sailors,) which they possessed almost exclusively.

France, therefore, did not hesitate to arrest these proceedings, by giving *informal* but strong assurances that if the whale fishermen would, but for a moment, resist the temptations held out by the English, their friends in France would soon procure for them advantages superior to those they were required to refuse. Accordingly, liberal bounties in money, accompanied with other allurements, were offered to those persons who would remove from the United States to Dunkirk, and from thence carry on the whale fishery.

This measure at first did not have all the effect expected from it, and rather than hazard the immigration of the fishermen to the dominions of Britain, it was thought expedient to create in France a market for the produce of the whale fishery of the United States. This has been of much benefit to us; but partly from the fluctuating policy of France toward us, and partly from the excessive premiums she gives to her own vessels, it is to be feared that her whale fishery will be eventually established on the ruins of ours. Already, this business has extended itself considerably at Dunkirk, and the enormous profits which have been made by the aid of public bounties, cannot fail to draw from the United States many more adventurers.

France is undoubtedly an important market for tobacco, rice, lumber, oil, and *occasionally* for some other articles; but the ordinance of the National Assembly requiring that after October, '91, tobacco in American ships should pay 6¼ livres per quintal duty more than in French ships, (equal to near double freight,) and determining also that after that period, American built vessels cannot be sold to the citizens of France, must render our trade to that country, in our own bottoms, comparatively small.

In the course of the late war, France opened the ports of her colonies to foreign ships. These very soon engrossed a large share of their trade, and soon after the peace an arrêt of the

Council of State was passed, restricting the intercourse between those colonies and strangers. The precise intent and effect of this first public regulation after the peace is not within my present recollection, and I have no authority to which I can recur; but soon after it (in 1784) another arrêt was published, which established in each of the Windward Islands one port, and in Hispaniola three ports, to which *foreign* vessels might have free access with fish, lumber, live stock, rice, Indian corn, salted beef, (but not pork,) vegetables of a certain kind, hides, peltry, tar, and turpentine, but no other commodities; the duty on fish to be three livres per quintal, and on salted beef three livres per barrel, and on all these commodities such local duties as might be imposed in the Islands, beside an established one per cent. on the value.

In return, and as payment for these commodities, molasses and rum of the islands, and *goods previously imported from France*, are the only articles allowed to be brought away.

Several years after the second arrêt a third passed, which raised the duty on salted beef to a dollar per barrel, and on fish to a dollar per quintal; and at all times a sum equal to the duty per quintal imposed on foreign fish, was given as a bounty on each quintal of fish of the French fisheries.

Although some important products of the United States are excluded by the arrêts or standing laws, yet the pressing wants of the colonists have occasionally induced a suspension of those laws in relation to particular articles; but so versatile has been the conduct of the French government in this part of their administration, that the people of the United States have sometimes suffered exceedingly, though perhaps oftener profited by these temporary indulgences. Since the commencement of the revolution in France, and partly in consequence of scarcity there, the colonists have been obliged to take from the United States large supplies of flour, and some other items not usually admitted.

The importance of the French West India market for the fish of the United States, will appear from observing, that nearly one-half of the whole fish is consumed there. Should this advantage be lost, the fishery would be almost, if not quite ruined.

The molasses received from the French islands is an excellent payment for what they buy of us, but it may be noted that this article has been raised to its value and consequence as an object of commerce chiefly, if not altogether, by the people of the United States; it was not thought to be worth saving by the French planters until the Anglo-Americans became its purchasers and created a demand for it. At the commencement of the molasses trade with the French it was bought by the tierce, supposed to measure sixty gallons, or by the hogshead, supposed to contain one hundred: the New England people at that time used to receive upwards of ninety gallons for a tierce, and one hundred and fifty for a hogshead; so little was it valued by the planters, that they for a long time submitted to this imposition in the measure.

It has been much complained of, that at Cape François bonds are required before a vessel is allowed to trade, with such sureties as cannot be had, unless the captain pays an extravagant commission on his whole cargo, to some merchant of the place, whether he needs any other aid of such merchant or not. What share of this abuse, or whether any, is chargeable to the government, I am unable to say; or whether it extends to the other ports of Hispaniola, I am uncertain; but I think it does.

I am not able to discern any essential difference of *principle* between the French and English colonial systems; both aim at a monopoly of their trade, but neither can effect it perfectly without ruining the colony; each, therefore, relaxes occasionally in some points, and constantly in others, according to the necessity of the case. Both nations admit *nearly* the same commodities, except that France takes fish and refuses flour, while England takes flour and refuses fish.

England being more solicitous, as well as more able to *carry* the supplies of her colonies than she is to furnish them, insists only on being the carrier. France being unable to carry the requisite supplies of her colonies, insists only on furnishing them so far as she can, and permits others to supply whatever of prime necessity she cannot supply herself.

The English reserve the exclusive right of carrying the com-

modities their colonists need from the United States, but they impose no duty on the importation of the commodities themselves.

The French *allow foreigners* to *carry* certain commodities which their colonies need, but they impose a duty on the most valuable of those commodities, greater than the whole freight or price of carriage is worth.

The French colonies are, I believe, more extensive than the English; but if the French had not from necessity taken some things which they legally prohibited, it may be doubted whether the exports of the United States to the British West Indies, would not equal the exports to the French West Indies.

Some unavoidable business, and some unavoidable dissipations, have prevented me, till this moment, from obeying your commands. Upon a review of what I have written, 'tis some consolation in seeing how unimportant the information is, that you have lost nothing by the delay.

Yours,

GEORGE CABOT.

VERPLANCK TO HAMILTON.

NEW-YORK, 29th December, 1791.

SIR:

A number of your fellow-citizens, desirous of expressing the sense they entertain of the important services you have rendered your country, have raised by subscription a sum of money to defray the expense of a portrait of you, to be executed by Mr. Trumbull, and placed in one of our public buildings.

We have therefore to request that you will be so condescending as to allow Mr. Trumbull to wait upon you for the above purpose, at such time as will suit your conveniency; and will also be pleased to permit the representation to exhibit such part of your political life as may be most agreeable to yourself.

We have the honor to be, with perfect sentiments of esteem and respect, your most humble servants,

GULIAN VERPLANCK,
ROGER ALDEN,
BROCKHOLST LIVINGSTON,
J. WADDINGTON,
CARLILE POLLOCK,
} *Committee.*

HAMILTON TO VERPLANCK AND OTHERS.

PHILADELPHIA, January 15, 1792.

GENTLEMEN:

The mark of esteem, on the part of fellow-citizens, to whom I am attached by so many ties, which is announced in your letter of the 29th of December, is entitled to my affectionate acknowledgments.

I shall cheerfully obey their wish as far as respects the taking of my portrait, but I ask that they will permit it to appear unconnected with any incident of my political life. The simple representation of their fellow-citizen and friend will best accord with my feelings.

With true esteem and consideration,
I have the honor to be, gentlemen, &c.

HAMILTON TO SETON.

PHILADELPHIA, January 24, 1792.

MY DEAR SIR:

I feel great satisfaction in knowing from yourself that your institution rejects the idea of a coalition with the new project, or rather hydra of projects.

I shall labor to give what has taken place a turn favorable to another union, the propriety of which is, as you say, clearly illustrated by the present state of things. It is my wish that the Bank of New-York may, by all means, continue to receive deposits from the Collector, in the paper of the Bank of the United States, and that they may also receive payment for the Dutch bills in the same paper. This paper may either be remitted to the Treasurer or remain in the Bank, as itself shall deem most expedient. I have explicitly directed the Treasurer to forbear drawing on the Bank of New-York, without special direction from me. And my intention is, to leave you in possession of all the money you have or may receive till I am assured that the present storm is effectually weathered.

Every body here sees the propriety of your having refused the paper of the Bank of the United States in such a crisis of your affairs. Be confidential with me—if you are pressed, whatever support may be in my power shall be afforded. I consider the public interest as materially involved in aiding a valuable institution like yours to withstand the attacks of a confederated host of frantic, and, I fear, in too many instances, unprincipled gamblers.

Adieu. Heaven take care of good men and good views!

Yours, &c.

SCHUYLER TO HAMILTON.

NEW-YORK, Sunday, Jan. 29th, 1792.

MY DEAR SIR:

Your favor of the 24th instant, I received yesterday. I shall embrace the first moment which offers, and in which I can prudently be absent from hence, to pay you a visit.

The bank mania has somewhat subsided; but as in the first paroxysm the leaders induced many to subscribe a petition to the legislature for an incorporation, the pride of some and

the interested views of others will not permit them to relinquish the object. What fate will attend the application in the House of Assembly is problematical—but I am almost certain that in the Senate it will not meet with countenance. It is, however, prudent to be prepared with every objection, and I wish you to state those that have occurred to you.

I have been pressed by several persons to draft a bill for the future conduct of the Commissioners of the Land Office, in the preamble to which they wish to convey a censure on the board, for their conduct in the sale to Mr. Macomb. *Considering* a measure of this kind as a two-edged sword, I have advised that if even it were proper, it would not be prudent until matters of much importance to the State had been decided upon, and that the business should be postponed for further consideration. This advice was acceded to, but with so much reluctance, that I am under apprehensions that it will be precipitated.

Mr. Rensselaer is *arrived;* has received the letter you mention. Before I left Albany some intimations were given of the project you mention, and I was alarmed, as Mr. Yates had some little time before observed to me that he apprehended his pecuniary affairs would be injured if he was placed in the chair of Government. I obviated the difficulties he stated; observed that the mere intimation that he doubted of the *propriety* of being proposed as a candidate, would be injurious to his reputation, *intensely* distressing to those who had supported him on the former occasion, and who had already committed themselves with great numbers of the citizens. He seemed convinced, and from what he has since said to Mr. Rensselaer, and the exertions he makes with the *council* of appointment in favor of persons who are unfriendly to Clinton, and whom he *declares will use their influence* to carry the election in his favor, I am led to believe that he will not yield to Mr. Burr's views. I shall, however, in a day or two bring him to an explicit declaration on the subject.

As no good could possibly result from evincing any resentment to Mr. Burr for the part he took last winter, I have on every occasion behaved towards him as if he had not been the principal in the business.

If I cannot speedily visit you, I shall send on Cornelia, who is anxious to be with you and her sister.

My love to Eliza and the children.

Yours, affectionately, &c.,

PH. SCHUYLER.

LEDYARD TO HAMILTON.

NEW-YORK, February 1st, 1792.

DEAR SIR:

On my arrival here, finding that a tide was likely to make strongly for Mr. Burr, I grew more anxious, on the grounds which I had the honor to converse with you about in Philadelphia. I talked with several of our common friends, but with none confidentially, excepting General Schuyler, who, with the same confidence, was pleased to inform me of the circumstance of Mr. Yates resigning his pretensions. Mr. Schuyler concluded to have an interview with you, and to let the determination of Mr. Yates remain a secret until his return.

Mr. Yates, it is probable, will feel much inclined to return the favor which he has received from your friends, in affording his support to the candidate which they may propose; but against this, it is to be calculated that supporting Mr. Burr will best please most of his ancient friends, and tend to restore him to their confidence, and also that the candidate in question has a personal dominion over him. Mr. Schuyler supposes, that if Mr. Clinton and Mr. Burr were to be the only competitors, and his friends thrown out of the scale, it would be doubtful which succeeded. To oppose Mr. B. with success, your friends will be necessitated to promote the interest of the old *incumbent*, which might be considered a dereliction of sentiment; and to cherish the hopes of a third candidate, will probably be to lose a triumph.

If B. finally succeeds, and you have not the merit of it, it will be an event extremely disagreeable to me. With this impression, I have sought repeated interviews with him, until I could procure from him an *artless* declaration of his sentiments, both with respect to the Union, on present grounds, and also with respect to you.

He has expressed a sincere regard for the safety and well-being of the former. With respect to yourself, he expresses an entire confidence in the wisdom and integrity of your designs, and a real personal friendship, and which he does not seem to suppose you doubt of, or that you ever will, unless it may arise from meddling interveners.

Unless you have grounds of objection which I do not know of, I ardently wish that the result of your interview with General Schuyler may be an adoption of the candidate.

I am,

With entire respect and esteem,

Your very obd't humble serv't,

ISAAC LEDYARD.

WATSON TO HAMILTON.

NEW-YORK, February 2d, 1792.

SIR:

The nature of my business has allowed me but a few leisure moments since my return to this place. I called pretty early, and repeatedly, on General Schuyler, but have not had the good fortune to find him at home; if I had, I am not sufficiently known to him, to expect his confidential communications on a subject so delicate as that of the approaching election.

Knowing that truth and the public good engage all your attention, and govern all your actions, it may serve as an apology for my suggesting the observations I have made, and the inferences that result. So far then as I have been able to collect opinions, there is some prospect that the gentleman alluded to in

our last interview, may at all events be preferred to the government; and in case it was thought expedient to give him the federal interest, the probability would be strong.

If that interest is denied him, and he succeeds, will it not make him an enemy, if he is not one now? If he is refused this support, and fails, will he not return to the Senate of the United States, embittered against the government and its ablest advocates?—*a circumstance the more to be regretted in the present irritable state of the Legislature and body politic.* If this aid is given him, and he fails, will it not serve to moderate his conduct, or rather to bind him by the ties of interest and gratitude to his supporters? If it could be possible that he should absolve himself from these ties, would not the ingratitude and atrocity of the act diminish his power of doing harm, and make all future opposition to him equally just and popular? You will have the goodness to recollect, that these remarks are founded upon the presumption that Judge Yates chooses not to be a candidate, and that he will resign his pretensions with most satisfaction to the character in question.

This I am assured is the fact, without which I should not have troubled you with these remarks.

Whenever I imagine how much easier it is to embarrass and obstruct the benign operations of government, than to give it the requisite tone and vigor, I am solicitous to remove talents, perseverance, and address, as far from the opposition as possible. I have omitted to urge any positive good that may result from this measure, although I am strongly persuaded that a very great one may accrue.

The absence of evil will continue to be desirable, until the public mind becomes more quiet, and federal habits take deeper root. I shall only add, that the cautious distance observed by this gentleman towards all parties, however exceptionable in a politician, may be a real merit in a Governor.

I have the honor to be, with perfect truth and esteem,

Your most humble servant,

JAMES WATSON.

LEDYARD TO HAMILTON.

NEW-YORK, February 28th, 1792.

MY DEAR SIR:

The inclosed was left with Mr. Hazard to forward, but was carelessly mislaid or forgotten. I do not recollect the contents, but well recollect the impression under which it was written, and that the design must have been to prevent drawn swords. I shall be able, in a few days, to convince you that on election *grounds* you need not be the enemy of Mr. ———, and hope nothing else will disturb the operation of the *experiment*. I should have admired the candor and firm integrity which dictated your letter, had it been received from almost any other person. It afforded me no new subject of pleasure or contemplation, coming from whence it did. It is probable that by next Sunday I may be able to give you the satisfaction herein intimated.

I am, most respectfully in all things,
Your assured friend and obedient servant,
ISAAC LEDYARD.

PAGE TO HAMILTON.

March 22d, 1792.

DEAR SIR:

I have snatched a few minutes from my business, to scribble an answer to the author of the letter which I delivered to you in the presence of Colonel Hartley. I have inclosed it for your perusal, according to my promise, and hope it will serve as a proof to you that I disdain to be an accomplice in a cabal against you, and convince Mr. Blanchard that he has mistaken my character.

I am, dear Sir,
With real esteem and perfect respect, &c.

HAMILTON TO DUER.

PHILADELPHIA, March 14, 1792.

MY DEAR DUER:

Your letter of the 11th got to hand this day. I am affected beyond measure at its contents, especially as it was too late to have any influence upon the event you were apprehensive of, Mr. Wolcott's instructions having gone off yesterday.

I trust, however, the alternative which they present to the attorney of the , and the discretion he will use in managing the affair, will enable you to avoid any pernicious *éclat*, if your affairs are otherwise retrievable.

Be this as it may, act with *fortitude* and *honor*. If you cannot reasonably hope for a favorable extrication, do not plunge deeper. Have the courage to make a full stop. Take all the care you can in the first place of institutions of public utility, and in the next of all fair creditors.

God bless you, and take care of you and your family. I have experienced all the bitterness of soul on your account which a warm attachment can inspire. I will not now pain you with any wise remarks, though if you recover the present stroke, I shall take great liberties with you. Assure yourself, in good and bad fortune, of my sincere friendship and affection.

Adieu.

HAMILTON TO SETON.

PHILADELPHIA, March 25, 1792.

If six per cents should sink below par, you may purchase on account of the United States at par to the extent of fifty thousand dollars. You will not, however, declare on whose account you act, because, though there is, as to a purchase on that prin-

ciple, no difference of opinion among the trustees, the thing is not formally arranged, and this is Sunday.

It will be very probably conjectured that you appear for the public, and the conjecture may be left to have its course, but without confession. The purchase ought, in the present state of things, to be at auction, and not till to-morrow evening. But if the purchase at auction will not tend as well to the purpose of relief as a different mode, it may be departed from; the usual note must be made of persons, time, &c. You will consider whether done all at once, or a part now and a part then, will best answer the purpose; in the state of this market, the latter mode is found preferable. I have just received a letter from Mr. Short, our minister resident, dated Amsterdam, 28th December, by which he informs me that he has effected a loan for three millions of florins at four per cent. interest, on account of the United States. This may be announced; and as, in the present moment of suspicion, some minds may be disposed to consider the thing as a mere expedient to support the stocks, I pledge my honor for its exact truth. Why then so much despondency among the holders of our stock? When foreigners lend the United States at four per cent., will they not purchase here upon a similar scale, making reasonable allowance for expense of agency, &c.? Why then do individuals part with so good a property so much below its value? Does Duer's failure affect the solidity of the government?

After paying the present quarter's interest, I shall have near a million of dollars in cash, and a million more in bonds from the duties of last year. All this is truly so much before-hand. The duties for the current year being fully adequate to the objects of the year, except the further sum of about five hundred thousand dollars for the western expedition, for which the ways and means have been proposed. Is the treasury of Great Britain comparatively in so good a state? Is the nation comparatively so equal to its debt? Why then so much depression? I shall be answered, the immediate necessity for money. But if the banks are forbearing as to the necessity of paying up, cannot the parties give each other *mutual credit* and avoid so great a press?

If there are a few *harpies* who will not concur in this forbearance, let such be paid and execrated, and let others forbear. The necessity of great sacrifices among your dealers cannot affect the nation, but it may deeply wound the city of New-York, by a transfer to foreigners and citizens of other states of a large mass of property greatly below its value. The face of your affairs may undergo for a considerable time a serious change. Would not the plan I suggested to you in my last be a means of securing more effectually the debts due to the bank, by accepting in part payment *the credits* on your books?

While I encourage due exertion in the banks, I observe that I hope they will put nothing to risk. No calamity truly *public* can happen while these institutions remain sound. They must, therefore, not yield too far to the impulse of circumstances.

Yours, &c.

SETON TO HAMILTON.

New-York, 26th March, 1792.

My Dear Sir:

I had the pleasure to receive your kind letter of yesterday, this day at 10 o'clock. We have no public sales of stocks now in the evenings—therefore I cannot go into the market till to-morrow, and although the sum is small, yet be assured it will be a relief. The Collector has furnished the list of names of those who have duties to pay between this and the first of May, and our Directors have given out that they will discount on a deposit of stock. The large dealers in stock are to have a meeting this evening, and it is reported will enter into an absolute agreement not to draw out any specie from the banks for three months to come—so that from to-morrow I hope the prospect will brighten. I have made as public as possible the new loan obtained in Amsterdam; it gives most universal satisfaction. The January packet arrived this day. The orders for the purchase of the 6 per cents. at 22s. are very extensive, if bills could be sold at par—but

the present consternation and want of confidence in each other, have reduced bills to 10 per cent. under par, so that the orders cannot be executed.

I am writing in such a bustle of business that I hardly know what I say. I shall have the pleasure of writing you again to-morrow—meanwhile have the honor to be with the greatest esteem and respect.

HAMILTON TO WM. SETON.

(PRIVATE.)

PHILADELPHIA, April 4, 1792.

The post of to-day brought me a letter from you. I am pained beyond expression at the picture you and others give me of the situation of my fellow-citizens—especially as an ignorance of the extent of the disorder renders it impossible to judge whether any adequate remedy can be applied.

You may apply another 50,000 dollars to purchases at such a time as you judge it can be rendered most useful: the prices may be 20s. for 6 per cents.; 12s. for 8 per cents., and 12s. 6d. for deferred. The law and the object require that it should be known you purchase for the public. I shall, by the next post, send an official authorization.

I have doubt, however, whether it will be best to apply this immediately or wait the happening of the crisis—which I fear is inevitable. If, as is represented, a pretty extensive explosion is to take place, the depression of the funds at such a moment will be in the extreme, and then it may be more important than now to enter the market in force. I can, in such a case, without difficulty, add a hundred thousand dollars—probably a larger sum. But you, who are on the spot, being best able to calculate consequences, I leave the proper moment of operating to your judgment. To relieve the distressed, and support the funds, are primary objects. As it may possibly become advisable for the

bank to receive *payments* in stock from embarrassed persons, it may not be amiss that you should know as a guide, that there are at this moment orders from a respectable Dutch concern to purchase 6 per cents. at 24s., if bills can be sold at par; of this I have the most *unequivocal* evidence. This is a proof that foreigners will be willing to give that price. How vexatious that imprudent speculations of individuals should lead to an alienation of the national property at such under rates as are now given! I presume your greatest embarrassments arise from the contracts to pay and deliver not yet at issue. Is it possible to form any conjecture of their extent?

Yours, &c.

HAMILTON TO WILLIAM SETON.

(PRIVATE.)

PHILADELPHIA, April 12th, 1792.

I have your letters of the 10th and 11th, and more to my distress and surprise, I learn by other letters a confirmation of what you apprehended, viz., Mr. Macomb's failure. This misfortune has, I fear, a long tail to it.

The inclosed, you will perceive, gives you additional latitude. The terms as heretofore for six per cents, 20s., three per cents, 12s., and deferred 12s. 6d.

You must judge of the best mode and manner of applying the sum. The operation here not being extensive, I have found it best to eke out my aid. I doubt whether this will answer with you. My reason was to keep up men's spirits by appearing often, though not much at one time. All is left to you. You will doubtless be cautious in securing your transfer before you pay.

Yours, &c.

HAMILTON TO THE DIRECTORS & CO. OF THE BANK OF NEW-YORK.

TREASURY DEPARTMENT, April 12th, 1792.

GENTLEMEN:

Since my official letter to you authorizing an advance to your cashier of fifty thousand dollars, to be applied to the purchase of public debt on account of the United States, I have authorized that gentleman to apply for another fifty thousand dollars, and to make the like use of it. I now confirm this direction, and add my desire that he may be furnished with a further sum of fifty thousand dollars, making in the whole one hundred and fifty thousand dollars, the whole for the purpose above mentioned.

With great consideration,

Yours, &c.

HAMILTON TO WILLIAM SETON.

TREASURY DEPARTMENT, May 10th, 1792.

SIR:

I received your letter of the 7th instant, covering an account of stock purchased by you for the United States.

I observe that you have exceeded the sum which was limited by me to the amount of one thousand and ninety-eight dollars eighty-nine cents; but so small a difference is not very material, and I am willing that the whole should remain on account of the United States.

In order to a winding up of the business, I have now to request that you, will as soon as it can conveniently be done, cause all the stock to be transferred in the names of the trustees as heretofore, and that you will then procure from the commissioner, and forward to me, the necessary certificates for transferring the stock from the books of the commissioner to those of the treasurer.

You will please to accept of my best acknowledgment for this additional mark of your zeal for the public service, and believe me to be,

Yours, &c.

MORRIS TO HAMILTON.

LONDON, April 10th, 1792.

DEAR HAMILTON:

I dined the day before yesterday, *tête-à-tête*, with the Prussian minister, Count Waranzow, who is a very sensible and well-informed man. In the course of an interesting conversation after dinner, your name was mentioned, and he expressed a desire to see your various reports to Congress. These he means to transmit to his brother, who is the Minister of Commerce in Russia, in order to undeceive him with respect to the United States. You will not only oblige me, but do a very useful thing, if you will transmit these reports, with any other useful information, in an envelope, directed to the Count Waranzow, Minister Plenipotentiary from the Court of Russia. You can send it to the American consul here, to be delivered to him, *but choose a private ship for the conveyance.*

The count, to show the importance of spreading such information, told me, that when he came to this country, believing as he did in Mr. Pitt's integrity, he readily adopted the statement given to him of our country, which was as poor and despicable as need be. He says, that he is cured of his confidence in Mr. Pitt; but that the impressions made with respect to America still exist to our prejudice in many places. He says, that Mr. Pitt had at one time, he believes, some disposition to make a commercial treaty with us, but that the arguments used by Lord Sheffield, and the indisposition of some of his colleagues, had changed this intention; that he may have returned lately towards his former mode of thinking, in consequence of our

prosperous situation; but that we should be very much on our guard.

I am, &c.,
GOUVERNEUR MORRIS.

SETON TO HAMILTON.

NEW-YORK, April 16th, 1792.

MY DEAR SIR:

I received your letter by the express, on Friday morning; previous to which, I had been relieving a few by purchases of stock, upon the strength of the second extension of fifty thousand dollars. At noon I went into the market, but the applications were so numerous, and so vastly beyond my expectation, I found it necessary to declare, I could take but very small sums from each. However, notwithstanding this, every one pressed forward, and were so eager, that I could only take down names, upon a declaration that I would average the whole. This I did, that no one might be left without some relief; so that the investment of the 100,000 dollars goes to upwards of 80 persons, from which you may form a judgment that your orders for purchases were well-timed. At the same time, it is an evidence of the great and universal distress which prevails, and which I am sorry to say is such, that it would be utterly impossible to make purchases equal to the relief. However, it cannot now be worse; and when the public mind calms down a little, it is to be hoped that good will arise out of the evil—that the spirit of industry instead of gambling will revive, and that the stocks will come to their proper and real value.

I am,
With the highest esteem and respect, &c.

HAMILTON TO VAN SCHAACK.

TREASURY DEPARTMENT, April 20th, 1792.

SIR:

I received your letter of the 1st of February shortly after its date, and have duly noticed the remarks it contained on the subject of manufactures, which will not fail to recur, when the Legislature shall have time to go into the consideration of the proposed arrangements. The business yet to be transacted will not admit of their further attention to my report, than the giving such modification to the ways and means recently required, as will encourage this interesting branch of the national industry. The bill has nearly made its progress through the House of Representatives, in a form calculated as well to produce that effect as the necessary supplies.

The specimens of carpeting, which were very acceptable, were immediately placed in the committee-room of the House of Representatives, among a collection of specimens of American manufactures, transmitted to the Treasury from several of the States.

I am, sir, with great consideration and esteem, &c.

HAMILTON TO DUER.

April 22, 1792.

MY DEAR DUER,

I hoped ere this to have seen you, to have afforded you whatever of aid could have resulted from my advice, after knowing your real situation. But the session protracts itself, and I can scarcely say when it will finish. Lest the information contained in my last should induce you to postpone an arrangement with your creditors, in the hope of speedily having an op-

portunity of consulting me, I have thought it best to apprise you of the degree of delay which may attend my proposed visit to New-York. Indeed, I can hardly flatter myself that my advice could be of any real importance to you.

How are you? How are your family? At a moment of composure I shall be glad to hear from you.

Eliza joins me in affectionate remembrances to Lady Kitty. Farewell.

LEE TO HAMILTON.

RICHMOND, 6th May, 1792.

MY DEAR SIR:

I had your letter delivered to me last evening, and feel myself hurt at the suggestions it contains concerning your own situation.

Knowing you as I do, I should ever give to your political conduct the basis of truth, honor, and love of country, however I might have differed from you on some measures.

When therefore I feel undiminished regard to you, I cannot help lamenting the misery to which you continue to be exposed, and I wish to God it could be averted. Our country's prosperity will ever be with me the first object, and next to that, (speaking as to public matters,) the happiness of my friends. Unfortunately, those I most love have taken different sides on American questions, and this discord in sentiment has issued in personal disgust and hate.

This event kept me from Congress, and will confine me to my own State. I had once cherished a hope of finding full employment corresponding with my feelings, in France, to which place I was almost in the act of embarkation seven weeks ago, but the confusions there, and the interposition of some of my best friends here, arrested my project. I mean now to become a farmer, and get a wife as soon as possible.

When I let you have my own riding horse I did not mean to receive any thing for him, save the expense which attended him in Alexandria, previous to my obtaining an opportunity of conveying him, and your small advance exceeded this sum; but as you make a serious point of it, I will draw on you for the balance of his price, which is sixteen guineas. I would censure the delicacy which your letter exhibits on this subject, did I not know that to one exposed to such a portion of crimination from his foes, would not be relished even ironical censure from his friends. Your attention to me in Philadelphia was as usual friendly and affectionate, though your situation forbad us mingling much together.

Yours ever,

H. Lee.

HAMILTON TO SETON.

Philadelphia, May 25th, 1792.

My Dear Sir:

The society for the establishing of useful manufactures, at their last meeting resolved to borrow a sum of five thousand dollars upon a pledge of deferred stock. Mr. Walker is empowered to negotiate the loan, and I expect application will be made to the Bank of New-York for it. I have a strong wish that the directors of that bank may be disposed to give facilities to this institution upon terms of perfect safety to itself. I will add, that from its situation it is much the interest of our city that it should succeed. It is not difficult to discern the advantage of being the immediate market of a considerable manufacturing town. A pledge of public stock will completely fulfil the idea of perfect security. I will add more, that in my opinion banks ought to afford accommodation in such cases upon easy terms of interest. I think five per cent. ought to suffice, for a direct public good is presented. And institutions of this kind, within

reasonable limits, ought to consider it as a principal object to promote beneficial public purposes.

To you, my dear sir, I will not scruple to say *in confidence*, that the Bank of New-York shall suffer no diminution of its *pecuniary facilities* from any accommodation it may afford to the society in question. I feel my reputation much concerned in its welfare.

I would not wish any formal communication of this letter to the directors, but you may make known my wishes to such of them as you may judge expedient.

With real esteem and great regard, &c.

SETON TO HAMILTON.

NEW-YORK, 28th May, 1792.

MY DEAR SIR:

As our bank stock is now only at 28 per cent. premium, I think it will be better to have the note of 1200 dollars you inclosed to me discounted, as before its period of payment, I think the stock will be higher. Mr. Troup has endorsed it. I cannot, however, help expressing a regret, that the extreme delicacy of your feelings should induce you to part with a stock so extremely more valuable than its present price in the market.

In virtue of your power of attorney, I have signed the books for all your dividends, viz.:

Dividend on 1st Nov., 1790, - - -	$ 26 25
Surplus dividend on 30th April, 1791, -	186 00
Dividend on 1st May, 1791, - - -	26 25
Dividend on 1st Nov., 1791, - - -	52 50
Dividend on 1st May, 1792, - - -	30 00
	$321 00

which sum is carried to the credit of your account, which was overdrawn before 245\frac{4}{100}$—so that the balance now due to you in bank is 75\frac{32}{100}$.

I trust you cannot doubt of the pleasure it will ever give me to obey your commands, and how much you gratify my feelings by employing me in any way that I can testify the sincere respect and esteem, with which I am, dear Sir, &c.

AMES TO HAMILTON.

Boston, June 10th, 1792.

Dear Sir:

Those who perceive the arduous nature of your duties ought to wish to aid you in executing them. Whether the author of the *Path* to *Riches* had it in view to afford you such aid or not, I think it fit to send you the work, as our political economy lies much within your department. You have found the path for our country, and it is advancing in it, though you have not sought it for yourself. To drop this obscure way of writing, I inclose Judge Sullivan's pamphlet on Banks, &c. The modest title-page delights me. Where is the *upright* man to plead for a people? Possibly this inquiry may be made by the people whom the author so much desires to plead for. The fee expected for pleading is supposed to be the chair of Governor. Another view is suggested: a state bank will afford a good field of speculation, of which fame, that evil tongue, says, many of the legislature were not unmindful at their last session, when the Tontine was in discussion. My friends tell me that the ,* the chair, the pride of state sovereignty. copy federal institutions, and the thirst for speculation will move different parties, and produce some sort of bank or Tontine project, and that resistance will be fruitless.

The inconsistent jargon of this pamphlet will make you smile. It will not amuse the many, nor instruct the few, but its bulk will deter many from reading it who will vote for a state bank,

* Defaced in original.

presuming that there are arguments enough for it in that great book.

All goes well in the state. The people really prosper, and, what is more, they know and say it, and give credit to the general government for the change they have witnessed. I feel persuaded they are perfectly well affected to good measures. I only fear that the high sense of honor in the paying duties is cooling. When money is in the case merchants need watching. Mr. Gore mentions some facts which indicate the need of vigilance.

I do not wish you to answer this. I would not write at all if by doing it I should impose that task upon you.

I am, dear Sir, with perfect esteem,

Your most obedient humble servant,

FISHER AMES.

SETON TO HAMILTON.

NEW-YORK, 11th June, 1792.

MY DEAR SIR:

I inclose you the bond of Baron Steuben, which I took up from Mr. Cutting, with his receipt for £506 13 0, which I paid him. I wished him to be more particular in the receipt, but he said you had already been informed of all the items that composed this sum. Bank stock still keeps from 26 to 28 per cent., and therefore I have not sold yours, as I am convinced it must rise, at least it ought to rise, if people wish to purchase a stock that will give them good interest for their money.

In the month of July last year, Mr. Pearse, the manufacturer, arrived here from Ireland; he brought me letters from Mr. Diggis, requesting my patronage, &c., and care of the models that he brought. I complied in every sense, and receiving afterwards a letter from the Secretary of State and Mr. Coxe, of what importance these models were, and directions how to forward them, &c., I paid Mr. Pearse's passage and gave him money to enable

him to get to Philadelphia. The models I sent by my son-in-law, Mr. Vining. For the money advanced to Mr. Pearse, which was 120 dollars, I took his note of hand, which I sent to Mr. Coxe's, as Mr. Jefferson wrote me all charges would be thankfully repaid. However, I have never yet been paid; and Mr. Coxe writes me that Pearse's note to me is in your hands. I take the liberty of mentioning this, that it may not be forgot, as it was purely *pro bono publico* that I advanced the money.

SETON TO HAMILTON.

NEW-YORK, June 25th, 1792.

DEAR SIR:

Our directors are informed of your sentiments respecting the loan to the Manufacturing Society. Be assured, my dear Sir, they have so much confidence in any measure pointed out by you, and take so much pleasure in promoting your views, which they are all well convinced are ever intended for the public good, that, by complying with your wishes, they have not even an opportunity of retaliating the obligations this institution is under to you. Of mine, personally, I shall say nothing; but that I am with the greatest respect, &c.

HAMILTON TO COLONEL HETH AND OTHERS.

PHILADELPHIA, June 26th, 1792.

GENTLEMEN:

I have received your circular letter of the 28th of February last.

I consider it as addressed to me in the capacity of a fellow-soldier, and in that capacity I now acknowledge and answer it.

Respect for you, gentlemen, and for those on whose behalf

you write, does not permit me to be silent; and in replying, the frankness which is due to you and them, and which is not less due to my own character, forbids me to dissemble.

My judgment does not accord with the views which are announced in your letter. A perseverance in them will not, I believe, be productive of any advantage to the parties, and may, I fear, be attended with some public inconveniences, which I am persuaded they would regret.

I also have made sacrifices *with* the army, and, what is less known, *for* the army. I feel that I love those who remain of that respectable band, and that no one can be more solicitous than myself for their welfare. I trust, therefore, they will do justice to my motives on the present occasion.

With very respectful consideration,

I have the honor to be, gentlemen, &c.

HAMILTON TO ———.

(PRIVATE.)

June 26th, 1792.

DEAR SIR:

This accompanies an official letter. I acknowledge I doubt the accuracy of the opinion of the attorney-general on the last point. A law is not to be so literally construed as to involve *absurdity* and *oppression*. The legislature might *reasonably* restrain its officers from future *buying* and *selling* of stock, but could not reasonably prevent their making a disposition of property which they had previously acquired according to the laws of their country.

At the same time, for greater caution, I should in my own case follow the strict interpretation.

All my property in the funds is about 800 dollars, 3 per cents. These, at a certain period, I should have sold, had I not been unwilling to give occasion to cavil.

The restriction itself, as it respects the officers of the treasury, and I rather think the commissioners of loans, is a wise and unexceptionable one.

But the propriety of its further extension is not obvious, and I doubt whether it will be lasting. The act passed in a prodigious hurry.

A. H.

HAMILTON TO ELISHA BOUDINOT.

PHILADELPHIA, July 12th, 1792.

DEAR SIR:

I wrote to you, a day or two since, on the subject of the advertisement.

You recollect there is a power to borrow to be given to the Committee, under the seal of the Corporation. No time ought to be lost in preparing and executing the power, and making application for the loan. Not more than 30,000 dollars, in addition to the 10,000 already borrowed, need at first be asked for. I shall write to Mr. Seton by to-morrow's post.

Pray, my friend, let nothing slumber.

Yours,

A. HAMILTON.

HAMILTON TO KING.

PHILADELPHIA, July 25th, 1792.

MY DEAR SIR:

I received, lately, a letter from you, in which you expressed sentiments according with my own, on the present complexion of your party politics; as, if a letter of mine to you did not miscarry, you will have seen. I wished that Clinton and his party

should be placed in a just light before the people, and that a spirit of dissatisfaction, within proper bounds, should be kept alive; and this for national purposes, as well as from a detestation of their principles and conduct.

But a resort to first principles, in any shape, is decidedly against my judgment. I don't think the occasion will, in any sense, warrant it. It is not for the friends of good government to employ extraordinary expedients, which ought only to be resorted to in cases of great magnitude and urgent necessity. I reject as well the idea of a convention as of force.

To rejudge the decision of the canvassers by a convention, has to me too much the appearance of reversing the sentence of a court by a legislative decree. The canvassers had a final authority in all the forms of the Constitution and laws. A question arose in the execution of their office, not absolutely free from difficulty, which they have decided (I am persuaded wrongly), but within the power vested in them. I do not feel it right or expedient to attempt to reverse the decision, by any means not known to the Constitution or laws.

The precedent may suit us to-day; but to-morrow we may see its abuse.

I am not even sure that it will suit us at all. I see already publications aiming at a revision of the Constitution, with a view to alterations which would spoil it. It would not be astonishing, if a convention should be called, if it should produce more than is intended. Such weapons are not to be played with. Even the friends of good government, in their present mood, may fancy alterations desirable, which would be the reverse.

Men's minds are too much unsettled, everywhere, at the present juncture. Let us endeavor to settle them, and not to set them more afloat. I find that strong-minded men here view the matter in the same light with me; and that even Mr. Jay's character is likely, in a degree, to suffer by the idea that he fans the flame a little more than is quite prudent. I wish this idea to be conveyed to him with proper *management*. I have thoughts of writing to him.

You see, out of the reach of the contagion, I am very cool

and reasonable. If I were with you, I should probably not escape the infection.

Farewell!

A. HAMILTON.

FRANCIS CHILDS is a very cunning fellow. In Philadelphia, in the person of his proxy, Freneau, he is a good anti-federalist and Clintonian; in New-York, he is a good federalist and Jay-ite. Beckley and Jefferson pay him for the first, and the federal citizens of New-York for the last. Observe a paragraph in his Daily Advertiser of the 18th instant. These things ought in a proper way to be brought into view.

HAMILTON TO KING.

July 27th, 1792.

Desirous of examining accurately the question decided by the canvassers, I will thank you for a minute of all the authorities which were consulted by you when you gave your opinion.

Yours, truly,

A. H.

I shall be glad to have them as soon as convenient.

KING TO HAMILTON.

Sunday, 29th July, 1792.

Mr. Jay will be with you this week, you will therefore have an opportunity to converse with him respecting our very unpleasant situation. All the measures which have been pursued have

been calculated to induce the Legislature to call a convention to revise the decision of the canvassers. So far as I am able to form an opinion, a majority of the Assembly are Clintonians, and, if so, will not agree to call a convention. Should this be the case, the business will there terminate.

I have only a few loose notes concerning the questions decided by the canvassers—by turning up Bohuns, or Comins, you will find under the word sheriff, the English cases referred to which respect the appointment and discharge of that office. The liability of holding the office beyond the term for which sheriffs, constables, and other annual officers are appointed, must have arisen from the inconvenience to which the administration of justice would have been exposed by vacancies in any of those offices. The law on that point cannot be doubted. The practice is common in this country, as well as in England, and property to a great amount, in both countries, is held under decisions of juries, returned by sheriffs exercising their office beyond their year.

Yours sincerely,

RUFUS KING.

HAMILTON TO BOUDINOT.

30th July, 1792.

DEAR SIR:

I expected to have set out to-day to join the Committee to-morrow at Newark, but it is not possible. To-morrow morning I shall embark in the Early Stage, and hope to reach you in the afternoon; but I pray that no business may be deferred on my account.

Truly yours,

ALEXR. HAMILTON.

TENCH COXE TO HAMILTON.

FLEMINGTON, NEW JERSEY, Aug. 14th, 1792.

DEAR SIR:

Before I left Philadelphia I had notice of a cause to be tried on the 10th instant, at this place, of the business of which I had some knowledge. It has lasted till this day, and the counsel think my staying may prove very important to the just decision of the cause. It is with great pain I remain, because I doubt not the arrangement of the compensations now requires to be acted upon. I shall hasten to Philadelphia in five minutes after I am dismissed.

There has been a most respectable assemblage of persons from various parts of this State, attending the courts of nisi prius—and oyer and terminer—and I have felt infinite satisfaction in manifestations from every description of them, that they equally love the General and State governments; and that they think the great objects of public happiness committed to the former have been faithfully and most beneficially managed.

They are full of a firm and generous confidence in the future intentions of the general government.

I have the honor to be, with the most respectful attachment, &c.

HAMILTON TO BOUDINOT.

PHILADELPHIA, August 18th, 1792.

MY DEAR SIR:

Some skirmishing having begun in the Gazette of the United States respecting Mr. Freneau's receiving a salary from government, I mentioned in conversation with a friend all that I knew of the matter, and among other things, but without naming you, the information you had given me concerning Mr. Madison's

negotiation with Freneau. Upon this he founded a very pointed attack upon Mr. Freneau and Mr. Jefferson, which I dare say you have seen, as also Mr. Freneau's affidavit denying all negotiation with "Thomas Jefferson, Esq., Secretary of State," &c. &c. The gentleman has since applied to me to obtain, if possible, an authentication of the fact of the negotiation.

If I recollect right, you told me that this, if necessary, could be done; and if practicable, it is of real importance that it should be done. It will confound and put down a man who is continually machinating against the public happiness.

You will oblige me in the most particular manner, by obtaining and forwarding to me without delay, the particulars of all the steps taken by Mr. Madison—the when and where, and with liberty to use the name of the informant. His affidavit to the facts, if obtainable, would be of infinite value. Care ought to be taken that nothing is asserted which is not unquestionable.

Truly and affectionately yours, &c.

BOUDINOT TO HAMILTON.

NEW-YORK, August 16th, 1792.

DEAR SIR:

I had just returned from the Circuit when I received your letter by yesterday's post, and had not then read the pieces you alluded to. Judge Bradford was with me, and relating the affair —especially the affidavit—he said he was very much mistaken, if he had not the relation from Freneau's own mouth. "This I know," says he, "that at the time I was in New-York, and was informed of Mr. J.'s writing him a letter, which he took in dudgeon, as striking at his independence, &c., and wrote a very insulting answer, which he showed to Mr. Childs, who prevented his sending it, &c.; and in fact related the whole story as I had it. I have no doubt, if you fall in company with him, and bring on the conversation with him, as soon as he returns, he will give you

satisfaction on the subject. Converse with him as if you had received no information on the head.

Soon after I had the first conversation with you on that subject, I saw the gentleman I referred to, but I found him more attached to F. than I supposed—and he refused allowing me to say any thing from him. I am still in hopes, through another channel, to ascertain the facts, which I will endeavor to do in the course of the week, if possible, though I doubt not Judge Bradford will, on reflection, be able to mention the authority from which he had the story; and if he had it immediately from F. himself, it will be the best evidence that can be procured, and he appears to have no reserve on the subject.

Have you received my letter inclosing Hall and Mort's proposals; if so, will you write your sentiments on the subject? May we expect to see you on the 20th instant? I see by the papers a Mr. Nesbit has arrived from Scotland, and is with General Schuyler. Would it be worth while to wait to have his opinion?

Your letter inclosing the money I have received and forwarded.

I am, with esteem, dear Sir,

Yours sincerely,

ELISHA BOUDINOT.

HAMILTON TO SETON.

August 17th, 1792.

MY DEAR SIR:

Your letter, mentioning certain particulars respecting the two banks, has been received, and will be duly attended to. I trust, however, that certain appearances have in no degree proceeded from any unkind disposition. The solution, I believe, is to be found in the necessity of sending here a considerable sum in specie. Large payments into the Bank of North America on

account of the State of Pennsylvania, subscriptions to canals, &c., and large calls upon the Bank of the United States for the service of government, joined to liberal discounts, had produced a considerable balance in favor of the Bank of North America, which rendered it expedient to draw a sum of specie from New-York, not to leave the National Bank in any degree in the power of the Bank of North America, which once manifested a very mischievous disposition, that was afterwards repaid by acts of kindness and generosity. The tide is now changing, and must speedily reverse the balance, and I mention it in confidence, because I wish, by explaining, to cherish confidence between the two institutions at New-York, so necessary to their mutual interest.

Inclosed, my dear sir, is a letter to Mr. Donald of St. Vincents, which I beg your most particular care in forwarding. I presume he is a merchant there; but a gentleman lately mentioned to me, that he thought the name of the governor of St. Vincents was Donald. If so, he is probably the person intended. I received a letter from him, giving me some information of my father. The letter to Mr. Donald covers one to my father, who, from a series of misfortunes, was reduced to great distress. You will perceive from this, that I must be anxious for the safe conveyance of my letter. If there is any person of whom you can make previous inquiry concerning Mr. Donald, you will oblige me by doing it, as a guide in forwarding the letter. I mean to send a duplicate from this place.

Affectionately, and with sincere esteem,

Yours,

A. HAMILTON.

DAYTON TO HAMILTON.

ELIZABETHTOWN, August 26th, 1792.

DEAR SIR:

Having been absent with my family on a visit to Staten Island, and to the sea-shore, I did not receive, so soon as I other-

wise should, your letter of the 15th. That Mr. Jefferson proposed to Freneau to repair to Philadelphia and act in his department as interpreter of the French language, and that, subsequently thereto, a negotiation was had and completed between Mr. Madison and the latter, to establish and conduct a newspaper there, are undeniable truths. Although desirous of frustrating the machinations of a particular party, I cannot nevertheless consistently comply with your request in giving up to public notoriety the name of my informant. In a correspondence as confidential as ours, I have no hesitation in making it known to *you*, more especially as such communication, while it convinces you of the certainty of those transactions, will also impress you with a conviction of the impropriety of that name being again mentioned. I am indebted to Mr. Childs of New-York for all that I knew and informed you relative to this matter.

He, you know, is one of the printers, and interested in the paper, and although I am well assured that he entirely disapproves the manner in which it is conducted, yet it is natural to suppose that he would not willingly be instrumental in the establishing of any fact which might operate to its disrepute or prejudice.

With very sincere regard, yours,

JONA. DAYTON.

HAMILTON TO JAY.

(PRIVATE.)

PHILADELPHIA, Sept. 3, 1792.

MY DEAR SIR:

The proceedings at Pittsburgh, which you will find stated in the inclosed paper, and other incidents in the western parts of this State announce so determined and persevering a spirit of opposition to the laws, as in my opinion to render a vigorous

exertion of the powers of government indispensable. I have communicated this opinion to the President, and I doubt not his impressions will accord with it. In this case, one point for consideration will be the expediency of the next Circuit Court noticing the state of things in that quarter, particularly the meeting at Pittsburgh and its proceedings. You will observe an avowed object is to "*obstruct* the *operation* of the law." This is attempted to be qualified by a pretence of doing it by "every legal measure." But "legal measures" to "obstruct the operation of a law" is a contradiction in terms. I, therefore, entertain no doubt that a high misdemeanor has been committed. The point, however, is under submission to the attorney-general for his opinion.

There is really, my dear sir, a crisis in the affairs of the country, which demands the most mature consideration of its best and wisest friends.

I beg you to apply your own most serious thoughts to it, and favor me as soon as possible with the result of your reflections. Perhaps it will not be amiss for you to converse with Mr. King. His judgment is sound—he has caution and energy.

Would a proclamation from the President be advisable, stating the criminality of such proceedings, and warning all persons to abstain from them as the laws will be strictly enforced against all offenders?

If the plot should thicken and the application of force should appear to be unavoidable, will it be expedient for the President to repair in person to the scene of commotion?

These are some of the questions which present themselves. The subject will doubtless open itself in all its aspects to you.

With real respect and affectionate attachment,

I remain, dear Sir, your obedient servant,

A. H.

Chief Justice JAY.

JAY TO HAMILTON.

NEW-YORK, Sept. 8th, 1792.

DEAR SIR:

I have conferred with Mr. King on the subject of your letter of the 3d instant. We concur in opinion that neither a proclamation, nor a *particular* charge by the court to the grand jury, would be advisable at present. To us it appears more prudent that the business be opened by the President's speech at the ensuing session of Congress. Their address will manifest the sense of the House, and both together operate more effectually than a proclamation.

No strong declarations should be made unless there be ability and disposition to follow them with strong measures. Admitting both these requisites, it is questionable whether such operations at this moment would not furnish the Antis with materials for deceiving the uninformed part of the community, and in some measure render the operations of administration odious. Let all the branches of government move together, and let the chiefs be committed publicly on one or the other side of the question. I perceive symptoms of the crisis you mention—if managed with prudence and firmness it will weaken its authors. If matters can pass *sub silentio* until the meeting of Congress, I think all will be well. The public will become informed, and the sense of the nation become manifest. Opposition to that sense will be clogged with apprehensions, and strong measures, if necessary, will be approved and be supported.

If, in the mean time, such outrages should be committed as to force the attention of government to its dignity, nothing will remain but to obey that necessity in a way that will leave nothing to hazard. Success on such occasions should be certain. Whether this should be done under the President's personal direction, must, I think, depend on circumstances at the time, or, in other words, on the degree of importance which those circumstances combined may evince.

Yours affectionately,

JOHN JAY.

ELISHA BOUDINOT TO HAMILTON.

NEWARK, 13th Sept., 1792.

MY DEAR SIR:

There are great exertions making to get the people to petition against the incorporation; several persons are employed to go about with petitions, and the people are deceived by the most absurd falsehoods. The only mode I thought of to counteract them, was to have petitions drawn, and hire a person calculated for the purpose to go round with them, and I am in hopes it will answer the purpose effectually. We shall obtain numbers who signed the first, to sign ours, declaring they were imposed on. So much for *petitions*.

Will you sketch the substance of a law you wish with regard to apprentices—or the heading of it—and I will see it carried through the Legislature? Had you not better be up a day or two previous to the first Monday in October?

The Antis are making greater exertions than you perhaps are aware of, previous to the expected general election. Our Chief Justice says that a number from *Philadelphia* have been to the lower parts of West Jersey, informing the people that a strong party is forming in that city against the Secretary of the Treasury, requesting their aid, and that they will not choose a man who has supported his measures, especially Mr. Boudinot, &c. &c.

My brother showed me a letter last evening, received by the post, dated Norfolk, Virginia—only a few lines—inclosing a handbill for his information, signed "James Blanchard." This handbill is addressed to the Electors and Freeholders of New Jersey, setting forth the dangerous consequences of the measures of the Secretary, &c., the funding system, bank, &c.; then giving extracts of speeches made by Mr. Boudinot in support of them, &c., and warning the people to take care, &c., and says that pamphlets should be distributed amongst them previous to the election.

From these things it appears as if they meant to try their strength in every State. A young gentleman of this town was

lately at Philadelphia, and at his lodgings there was a gentleman from Virginia (whose name I do not at this moment recollect), very violent on the subject, and said he was going the middle and eastern States, to see what could be done with regard to displacing the Secretary of the Treasury; and, finding from the conversation of the other gentleman, that Mr. Madison was not a popular character, in Jersey at least, he asked if Mr. Morris would not be agreeable, &c. If the federalists sleep whilst their enemies are awake and vigilant, some mischief may be done.

I am, in haste, dear Sir,

With respect,

Yours sincerely,

ELISHA BOUDINOT.

KING TO HAMILTON.

Sunday, 17th Sept., 1792.

If the enemies of the government are secret and united, we shall lose Mr. Adams. Burr is industrious in his canvass, and his object is well understood by our Antis. Mr. Edwards is to make interest for him in Connecticut, and Mr. Dallas, who is here and quite in the circle of the Governor and the party, informs us that Mr. Burr will be supported as Vice-President in Pennsylvania. Should Jefferson and his friends unite in the project, the votes of Mr. A. may be so reduced, that though more numerous than those of any other person, he may decline the office. Nothing which has heretofore happened so decisively proves the inveteracy of the opposition. Should they succeed in degrading Mr. Adams, much would be to be apprehended in respect to the measures which have received the sanction of government.

Yours affectionately,

R. KING.

HAMILTON TO ———.

PHILADELPHIA, September 21, 1792.

DEAR SIR:

I take the liberty to inclose you the copy of a letter from a very respectable friend in New-York. The contents surprised me; nor am I quite persuaded that the appearance of Mr. Burr on the stage is not a diversion in favor of Mr. Clinton.

Mr. Clinton's success I should think very unfortunate; I am not for trusting the government too much in the hands of its enemies. But still, Mr. C. is a man of property, and in private life, as far as I know, of probity. I fear the other gentleman is unprincipled, both as a public and a private man. When the Constitution was in deliberation, his conduct was equivocal; but its enemies, who, I believe, best understood him, considered him as with them. In fact, I take it, he is for or against nothing, but as it suits his interest or ambition. He is determined, as I conceive, to make his way to be the head of the popular party, and to climb *per fas aut nefas* to the highest honors of the State, and as much higher as circumstances may permit. Embarrassed, as I understand, in his circumstances, with an extravagant family, bold, enterprising, and intriguing, I am mistaken if it be not his object to play the game of confusion, and I feel it to be a religious duty to oppose his career.

I have hitherto scrupulously refrained from interference in elections; but the occasion is, in my opinion, of sufficient importance to warrant, in this instance, a departure from that rule. I, therefore, commit my opinion to you without scruple; but in perfect confidence. I pledge my character for discernment, that it is incumbent upon every good man to resist the present design.

HAMILTON TO KING.

Sept. 23, 1792.

My Dear Sir:

Though I had had a previous intimation of the possibility of such an event, yet the intelligence contained in your letter of the 17th, surprised me. Even now I am to be convinced that the movement is any thing more than a diversion in favor of Mr. Clinton; yet, on my part, it will not be neglected. My attention, as far as shall be in any degree safe, will be directed to every State south of New-York. I do not go beyond it, because other influences would be quite as efficacious there as mine.

A good use will be made of it in this State. I wish a letter could be written here, stating the plan, and Mr. Dallas's assertion respecting Pennsylvania, which could be made use of without reserve. You well know who could write such a letter, and of course to whom it might be addressed. Mr. Lewis would be the most proper person to be written to. This is a matter of importance, and if practicable, no time should be lost.

I wrote Mr. Jay a long letter, which I fear reached New-York after he had set out on the circuit, informing him that I had concluded to advise a proclamation; and my reasons for it, which included some material facts not before communicated, I have not leisure to repeat. The proclamation has been signed by the President, and sent to Mr. Jefferson for his counter-signature; I expect it here on Tuesday, and have taken correspondent measures. I believe all is prudent and safe.

Yours truly and affectionately,

A. Hamilton.

HAMILTON TO ———.

PHILADELPHIA, Sept. 26, 1792.

MY DEAR SIR:

Some days since I was surprised with the following intelligence, in a letter from Mr. King, whose name I disclose to you in confidence.

"*Burr* is industrious in his canvass, and his object is well understood by our Antis. Mr. Edwards is to make interest for him in Connecticut; and Mr. Dallas, who is here, and quite in the circle of the Governor and the party, informs us that Mr. Burr will be supported as Vice-President in Pennsylvania. Nothing which has heretofore happened so decisively proves the inveteracy of the opposition. Should they succeed, much would be to be apprehended."

Though in my situation I deem it most proper to avoid interference in any matter relating to the elections for members of the government, yet I feel reasons of sufficient force to induce a departure from that rule in the present instance.

Mr. Burr's integrity as an individual is not unimpeached. As a public man, he is one of the worst sort—a friend to nothing but as it suits his interest and ambition. Determined to climb to the highest honors of the State, and as much higher as circumstances may permit; he cares nothing about the means of effecting his purpose.—'Tis evident that he aims at putting himself at the head of what he calls the "popular party," as affording the best tools for an ambitious man to work with—secretly turning liberty into ridicule, he knows as well as most men how to make use of the name. In a word, if we have an embryo Cæsar in the United States, 'tis Burr.

KING TO HAMILTON.

September 27th, 1792.

Care has been taken to put our friends at the Eastward on their guard. Measures have been pursued to ascertain opinions in different quarters; and on this, as on a former occasion, the object may be silently abandoned, should it appear absolutely desperate. If Clinton should be supported, this will be the case; if not, the party must resort to some other *Northern* character; hence the hopes of this gentleman.

The conversation with Mr. Dallas passed between him and me, and it would not be well that I should be publicly quoted. As he is almost all his time with the party here, I don't find that I can obtain such a letter as you propose.

Mr. Jay, who returned yesterday, unwell, sent me your letter of the 17th. I wish that the proclamation may produce the effects you promise yourself. If the country will support the judiciary, all will be well. My apprehension on this point led me to wish the effort to be made under circumstances the most favorable to its success. I like as little as you possibly can do, the omission of the Executive to exercise its power on a plain and important occasion. Still, allowances must be made for the actual condition in which we find ourselves. You cannot stop with the proclamation. Unless the opposition subsides, the Executive must proceed, if requisite force must be employed, to carry the law into effect.

One good point will be secured by the proclamation, which possibly would have been precarious without it. There might have been a disinclination to enforce the law, had its violation been submitted to legislative consideration, previous to any step on the part of the Executive to carry it into execution. This cannot be the case now. The good, from inclination, and others from a less worthy motive, will support the Executive and enforce the law.

Yours, &c.,

R. KING.

JOHNSON TO HAMILTON.

New-York, September 30th, 1792.

Dear Sir:

You was so good as to assure me, the last time I had the pleasure to see you, that you would introduce my son, Robert Charles Johnson, to our minister, Mr. Pinckney, that he might have the benefit of his protection and advice on his travels in England, &c. Circumstances would not permit him to go at that time; but he has now taken a passage on board a ship bound to Bristol, which proposes to sail on Sunday next. His sole object is introduction and improvement; and as I wish him to travel as advantageously as may be, I am persuaded no name in this country can be a more valuable recommendation to him than yours. I beg the favor of letters of introduction for him to the minister, and any other of your friends in England you may think proper.

He means, also, to see Holland; and if the trouble in France will permit him, to visit that country also, and therefore begs a line to Mr. Morris, and, if it be not too great a favor, to M. de Lafayette, &c. He will, with great pleasure, execute any commissions in his power for you in Europe; and both he and I shall be extremely obliged to you for any letters or commands you shall please to favor him with, and am,

With the sincerest esteem,

Dear Sir,

Your most obd't serv't,

Wm. Sam'l Johnson.

HAMILTON TO GEN. C. C. PINCKNEY.

PHILADELPHIA, Oct. 10, 1792.

MY DEAR SIR:

I duly received your letter of the 6th September, and have sent an extract to Mr. Church for the explanation which is necessary. I feel myself truly obliged by your friendly allusion to my unpleasant situation, and for the consolation which you are so kind as to offer me. The esteem of discerning and virtuous men must always support a mind properly formed under the pressure of malevolence and envy. I will not pretend that I am insensible to the persecution which I experience; but it may be relied upon that I shall desert no post which I ought to endeavor to maintain, so long as my own reputation or the public good may render perseverance necessary or proper. When it is not requisite, either to the one or the other, my friends will excuse me if I recollect that I have a growing and hitherto too much neglected family. It is to be lamented that so strong a spirit of faction and innovation prevails at the present moment in a great part of the country. The thing is alarming enough to call for the attention of every friend to government. Let me not be thought to travel out of my sphere, if I observe that a particular attention to the election for the next Congress is dictated by the vigorous and general effort which is making by factious men, to introduce every where, and in every department, persons unfriendly to the measures, if not the constitution of the National Government. Either Governor Clinton, or Mr. Burr, of New-York, both decidedly of the description of persons I have mentioned, is to be run in this quarter as Vice-President, in opposition to Mr. Adams. The former has been invariably the enemy of national principles. The latter has no other principles than *to mount, at all events*, to the full honors of the State, and to as much more as circumstances will permit—a man in private life not unblemished. It will be a real misfortune to the government if either of them should prevail. 'Tis suspected by some, that the plan is only to divide the votes of the Northern and Middle

States, to let in Mr. Jefferson by the votes of the South. I will not scruple to say to you, in confidence, that this also would be a serious misfortune to the government. That gentleman, whom I once *very much esteemed*, but who does not permit me to retain that sentiment for him, is certainly a man of sublimated and paradoxical imagination, entertaining and propagating opinions inconsistent with dignified and orderly government. Mr. Adams, whatever objections may lie against some of his theoretic opinions, is a firm, honest, and independent politician. Some valuable characters are about to be lost to the House of Representatives, of their own choice. I feared once that this would be the case with Mr. Smith,* of your State; but I believe his present intention is rather to continue to serve. I trust there can be no doubt of his success, and I wish means to be used to determine his acquiescence. He is truly an excellent member—a ready, clear speaker, of a sound analytic head, and the justest views. I know no man whose loss from the House would be more severely felt by the good cause. The delicacy of these observations from me will, of course, occur to you; I make them without reserve, confiding equally in your friendship and prudence. Accept the assurances of the cordial esteem and regard with which I have the honor to remain,

Dear Sir,
Your obedient Servant,
ALEXANDER HAMILTON.

HAMILTON TO STEELE.

PHILADELPHIA, October 15, 1792.

MY DEAR SIR:

The letter, which you did me the favor to write me, of the 19th of September, came to hand two days ago. The late symptoms of acquiescence in the duty on distilled spirits, which you

* Hon. Wm. Smith, South Carolina.

announce in your quarter, are particularly satisfactory. If the people will but make trial of the thing, their good will towards it will increase. This has hitherto happened every where, where the law has gone into operation. There certainly can be no tax more eligible or less burthensome. Though I impose on myself great circumspection on the subject of elections for the Federal Government, yet, in relation to the characters you mention, I feel myself more at liberty, and my entire confidence in you will not permit me to affect reserve. I take it for granted that, in all the Northern and Middle States, the present President will have an unanimous vote. I trust it will be so in the South also. A want of unanimity would be a blot on our political hemisphere, and would wound the mind of that excellent character to whom the country is so much indebted. For Vice-President, Mr. Adams will have a nearly unanimous vote in the Eastern States. The same thing would happen in New-York, if the electors were to be chosen by the people; but as they will be chosen by the Legislature, and as a majority of the existing Assembly are Clintonians, the electors will, I fear, be of the same complexion. In Jersey, Mr. Adams will have a unanimous vote, and, according to present appearances, in Pennsylvania likewise. The parties have had a trial of their strength here for representatives, and though the issue is not finally ascertained, there is a moral certainty, from the returns received, that the ticket supported by the Federal interest will prevail by a large majority. The electors *nominated* by the same interest, will all, or nearly all, favor Mr. Adams. I believe the weight of Delaware will be thrown into the same scale. And I think it probable there will be votes for Mr. Adams in Maryland. I presume none in Virginia or Georgia. Of North Carolina, you can best judge. In South Carolina he will have votes, but I am at a loss to judge of the proportion.

This statement will inform you that Mr. Adams is the man who will be supported in the Northern and Middle States, by the friends of the Government. They reason thus—"Mr. Adams, like other men, has his faults and foibles—some of the opinions he is supposed to entertain, we do not approve; but we believe

him to be honest, firm, faithful, and independent—a sincere lover of his country—a real friend to genuine liberty; but combining his attachment to that with love of order and stable government. No man's private character can be fairer than his. No man has given stronger proofs than him of disinterested and intrepid patriotism. We will, therefore, support him as far preferable to any one who is likely to be opposed to him."

Who will be seriously opposed to him, I am yet at a loss to decide. One while, Governor Clinton appeared to be the man. Of late, there have been symptoms of Col. Burr's canvassing for it. Some say one or both of these will be played off as a diversion in favor of Mr. Jefferson. I do not scruple to say to you, that my preference of Mr. Adams to either of these is decided. As to Mr. Clinton, he is a man of narrow and perverse politics, and as well under the former as under the present government, he has been steadily, since the termination of the war with Great Britain, opposed to national principles. My opinion of Mr. Burr is yet to form—but, according to the present state of it, he is a man whose only political principle is to *mount at all events*, to the highest legal honors of the nation, and as much further as circumstances will carry him. Imputations, not favorable to his integrity as a man, rest upon him, but I do not vouch for their authenticity.

There was a time when I should have balanced between Mr. Jefferson and Mr. Adams; but I now view the former as a man of sublimated and paradoxical imagination—cherishing notions incompatible with regular and firm government.

Thus have I opened myself to you with frankness. I doubt not I am perfectly safe in doing it.

You give me pain by telling me that you have declined serving in the House of Representatives after the third of March next—and that it is doubtful whether you will attend the next session. I anxiously hope that you will find it convenient to attend, and that you will change your resolution as to not serving in a future house. The ensuing session will be an interesting one, and the next Congress will either anchor the government in safety or set it afloat.

My apprehension is excited when I see so many valuable members dropping off. Mr. Laurance and Mr. Benson will not serve again. Mr. Barnewell also declines. The house will, I fear, lose more of its talents than it can spare.

With truest esteem and regard,

I remain, dear Sir,

Your obedient servant,

ALEXANDER HAMILTON.

M'HENRY TO HAMILTON.

20th October, 1792.

MY DEAR HAMILTON:

I have been confined by a fever to my bed seventeen days. Yesterday and to-day I have sat up a little.

I have just received your letter of the 10th ultimo, which arrived during the height of my illness, after having gone to Fayettville, in North Carolina, and back to Philadelphia.

I expect a visit from Bishop Carroll, on his return to Baltimore, which may be next week. I have thought if I showed him a paragraph in your letter it might have its use; I have, therefore, delayed destroying it until I hear from you. The paragraph is, "Your project with regard to the Presidency, in a certain event, will, I believe, not have an opportunity of being executed. Happily for the public tranquillity the present incumbent, after a serious struggle, inclines, if I mistake not, to submit to another election. If it turns out otherwise, I say unequivocally—I will co-operate in running the gentleman you mention, as one of the two who are to fill the two great offices. Which of the two may turn up *first* or *second*, must be an affair of some casualty as the Constitution stands. My real respect and esteem for the character brought into view will insure him my best wishes in every event." Instruct me. Send me Perry's letter.

Adieu. If I should go to heaven before you—I shall remember you. I must go to bed.

Yours affectionately,

JAMES M'HENRY.

CARROLL TO HAMILTON.

ANNAPOLIS, 22d October, 1792.

DEAR SIR:

I received on the 7th instant, your favor of the 23d past. I have delayed thus long answering it with a hope that I might discover whether the anti-federal party in the State had in view the person referred to in your letter. I suspect a communication of sentiments is maintained by the leaders of this party throughout the United States; however, I have not heard his name even whispered. His character I could not well see through during the time we were together. I noticed a disposition to perplex and puzzle, which left an unfavorable impression on my mind. He appeared to me not to want talents, but judgment and steadiness; and I suspect he possesses of ambition a quantum sufficit for any man.

I hope the friends of stability, in other words, the *real* friends of liberty and their country, will unite to counteract the schemes of men, who have uniformly manifested a hostile temper to the present government; the adoption of which has rescued these States from that debility and confusion and those horrors which unhappy France has experienced of late, and may still labor under. I beg my respects to Mrs. Hamilton, and remain with sentiments of respect and regard,

Dear Sir,

Your most obedient humble servant,

CHARLES CARROLL, *of Carrollton.*

MORRIS TO HAMILTON.

PARIS, October 24th, 1792.

MY DEAR SIR:

I have received yours of the twenty-second of June, and am in the hourly hope to hear farther from you. I need not tell you that it will give me pleasure. Inclosed you will find the copy of a letter, which I wrote to Mr. Jefferson on the 7th of November, 1791. This, with some other communications of the same epoch, he never acknowledged. I know not why, but I think the paper inclosed in that letter will be agreeable to you, though not very amusing.

It would seem that your friend *Scipio* is not much attached to *Paulus*, at least if I may judge from some things which I see. However, there is a great chasm in my newspapers, which breaks the thread of my conjectures, as well as of my information; for I have little, I might almost say, none of the latter but from the gazettes; of course I know what passes about two months after every body else. Tell me, I pray you, how *Scoevola* stands affected between the parties just named. I think he never had a very high opinion of the first mentioned, but he was attached to *Tarquin* immeasurably, and that, with some local circumstances, may have formed a stronger chain than I should otherwise suppose.

You will have seen that the late Constitution of this country has overset; a natural accident to a thing, which was all sail and no ballast. I desire much, very much, to know the state of opinions with you on that subject. Some gentlemen who considered it as the acme of human wisdom, must, I suppose, find out causes which persons on the spot never dreamt of. But in seeking or inventing these causes, what will be their opinion of present powers; what the conduct they wish to pursue? These are to me important questions. *Brutus* will doubtless triumph, but I wish to feel the pulse of opinion with you, or rather to know beforehand how it is like to beat. There are pros and cons whose action I cannot estimate. The flight of Monsieur de

Lafayette, the murder of the Duke de la Rochefoucault and others, with many similar circumstances, have, I know, affected the ideas of some. But what will be the republican sense as to the new republic? Will it be taken for granted that Louis the Sixteenth was guilty of all possible crimes, and particularly of the enormous one of not suffering his throat to be cut, which was certainly a nefarious plot against the people, and a manifest violation of the bill of rights? *Paulus*, who is no enemy to kings, will not believe that they are all tigers; but I am not certain that, if he were here, he would not consider them as monkeys.

However, we are done with them in France, at least for the present. There are two parties here. The one consists of about half a dozen, and the other of fifteen or twenty, who are at daggers' drawing. Each claims the merit of having made the young republic. My public letters and the gazettes will bring you acquainted with things here, as fully as I can in any way communicate them. It is not worth while to detail the characters of those now on the stage, because they must soon give place to others. Adieu.

GOUVERNEUR MORRIS.

MORRIS TO HAMILTON.

PARIS, December 24th, 1792.

MY DEAR SIR:

I wrote to you on the twenty-fourth of October, and have not since received any of your letters. In that I acknowledged yours of the 22d of June. You will have seen from the public prints the wonderful success of the French arms, arising from the following causes,—1. That the enemy, deceived by the emigrants, counted too lightly on the opposition he was to meet with. 2. That from like misinformation, instead of attacking on the northern frontier, backed by the resources of Flanders, and those which the ocean would supply, they came across the Ardennes, to that part of Champaigne nicknamed the *lousy*, from

its barrenness and misery. 3. That in this expedition, where the difficulty of the roads, transportation and communication was the greatest they expected, it so happened that the season, usually dry and fair (when those bad roads are at the best), was one continued rain for two months, so that at length they were nearly stuck fast, and had as much as they could do to drag back their cannon, &c., through the mud. Lastly. That France brought into the field, and has kept up until very lately, the immense number of six hundred thousand troops. This has been done at an average expense of about five millions sterling per month beyond their resources, and yet they have ordered a like army for the next campaign, and talk boldly of meeting Great Britain also upon her element. What say you to that, Monsieur le Financier? But I will tell you in your ear, that in spite of that blustering, they will do much to avoid a war with Great Britain, *if the people will let them;* but the truth is, that the populace of Paris influence in a great degree the public councils. I think they will have quite as many men as they can maintain; but what that may amount to is hard to determine.

The ministers here are most extraordinary people. They make nothing of difficulties, as you shall judge by a single trait of M. Pache, the Minister at War. He had sent Bournonville to occupy the Moselle river down to Coblentz, taking *Trèves* and other places in his way. Now this way lies through a very difficult mountainous country, in which the snow is very deep, therefore Bournonville, having got a little neck of land between the Saave and the Moselle, puts his troops into winter quarters, pleading their nakedness as an excuse. The minister has sent him a brace of commissioners, who have power to *impress* in the neighborhood whatever may be needful for the troops, and then (their wants supplied) summon him to obey his orders. I have given to Mr. Jefferson a pretty full account of the state of things, so that if you see that account, which I take it is of course, you may measure by the standard now given you all other affairs.

If I may venture to judge from appearances, there is now in the wind a storm not unlike that of the second of September. Whether it will burst or blow over, it is impossible to determine.

It has occurred to me, that I never yet assigned a reason why the completion of payment of six million livres, which, at Mr. Short's request, I had stipulated for with the government lately abolished, appeared to me desirable. In effect I left this, as I do many other things, to the sense of the *gentle* reader; but as readers are sometimes *ungentle*, it is not amiss to communicate that reason to a friend. I saw that the new government would be hungry, and would urge us for money in the double view of obtaining an acknowledgment of them, as well as of supplying their wants. It was, therefore, I thought, right to take a position where we might say, *there is nothing due.* This would leave open a question, which it would be very delicate to answer either way, as things *appeared* then, and as they *are* now that *appearances* have changed. You will have seen the manœuvres to force me in that intrenchment; but at last, like *your friend* General Lee, I was quite at the worst for a retrograde manœuvre.

But I concluded that supplies of money to support the colony of St. Domingo would, *in all events*, have been considered *as a good and effectual* payment on our part, and had my offer of recommending such supplies been accepted, I would *on that ground* have proposed the measure, which, *anticipating the next instalments*, would have still kept open the main point as long as you should think proper. And thus my *apparent retreat* was in effect a mode of *more permanent defence*, and this is more, I believe, than poor Lee could say for himself.

I am truly yours, &c.,

GOUVERNEUR MORRIS.

JAY TO HAMILTON.

NEW-YORK, December 29th, 1792.

DEAR SIR:

On my return this evening from Rye, I found your letter of the 18th inst. at my house.

It is not difficult to perceive that your situation is unpleasant; and it is easy to predict that your enemies will endeavor to render it still more so. The thorns they strew in your way will (if you please) hereafter blossom, and furnish garlands to decorate your administration. Resolve not to be driven from your station; and as your situation must, it seems, be militant, act accordingly. Envy will tell posterity that your difficulties, from the state of *things*, were inconsiderable, compared with the great, growing, and untouched resources of the nation. Your difficulties, from persons and parties will, by Time, be carried out of sight, unless you prevent it. No other person will possess sufficient facts and details to do full justice to the subject; and I think your reputation points to the expediency of memoirs. You want time, it is true,—but few of us know how much time we can find when we set about it.

Had not your letter come from the post-office, I should suspect it had been opened—the wafer looked very much like it. Such letters should be sealed with wax, impressed with your seal.

I rejoice with you in the re-election of Mr. Adams. It has relieved my mind from much inquietude—it is a great point gained—but the unceasing industry and arts of the Antis render perseverance, union, and constant efforts necesssary.

Adieu, my dear sir.

Yours sincerely.

HAMILTON TO HARRISON.

PHILADELPHIA, January 5th, 1793.

DEAR SIR:

* * * * * Your account is returned with directory remarks upon it. I am sorry you should have the trouble of so many different applications, but the course of public business requires it.

I am more sorry that we have been deprived of the pleasure

of seeing you. Every friend I see from a place I love, is a cordial to me, and I stand in need of something of that kind now and then.

The triumphs of vice are no new things under the sun, and I fear, till the millennium comes, in spite of all our boasted light and purification, hypocrisy and treachery will continue to be the most successful commodities in the political market. It seems to be the destined lot of nations to mistake their foes for their friends, their flatterers for their faithful servants.

Adieu. Believe me with true esteem and regard, &c.

THOMAS PINCKNEY TO HAMILTON.

LONDON, January 8th, 1793.

MY DEAR SIR:

I am informed by Messrs. Bird, Savage and Bird, merchants of this city, that a scheme is in agitation for the payment in London of the interest on that part of the American funds which is in Europe, through the medium of agents to be appointed by the Bank of the United States. As they wish, in conjunction with another respectable house, to obtain this agency, they very judiciously think that your support would greatly strengthen their application to the President and Directors of the Bank, and have requested of me a letter of recommendation to you on the subject; and I accede to the proposal without reluctance, as I am persuaded that private application never influences your mind in public appointments, at the same time that the testimony of those acquainted with the applicants will have such weight as it merits. With respect to the present business, I can only inform you that the gentlemen who compose this house are respectable in their private capacities as well as in their mercantile transactions, and as far as my information goes very well connected here; they are known to have had considerable concerns in the American funds already, which it is their present object to con-

tinue, and to evince that I do not recommend where I have not a confidence, all my transactions in the money line pass through their hands; which, though not considerable, are of importance to me.

Your letter to Messrs. Vanstaphorsts and Co., was brought to me, yesterday, by the captain of the New Pigeon, and shall be sent by this day's mail.

I have the honor to be, with the utmost respect, yours, &c.

CARRINGTON TO HAMILTON.

RICHMOND, February 15th, 1798.

I have been favored with a packet from you containing several copies of your letter of the 4th instant, to the Speaker of the House of Representatives. I had fully anticipated the decided contradictions contained in this letter, to the suggestions which gave rise to it, having seen the resolutions alluded to. The copies of the letters are circulated as far as the numbers would admit, and I think if you could send me more, they might be distributed with good effect.

I cannot but be of opinion that you ought to rejoice in those attacks which lead to decided contradictions. Both sides of the question get fairly presented to public view, and truth must ultimately have its due effect.

I am, with great regard,

Your sincere friend and humble servant,

ED. CARRINGTON.

MORRIS TO HAMILTON.

PARIS, February 16th, 1793.

DEAR SIR:

My last was of the 16th of January, of which I now inclose a copy. It has so happened that a very great proportion of the French officers, who served in America, have been either opposed to the revolution at an early day, or felt themselves obliged, at a later period, to abandon it. Some of them are now in a state of banishment, and their property confiscated. Among these last there are a few, who had intrusted to their agents the certificates received from our treasury, and these last, under the pressure of penal decrees, either detain those certificates, or have delivered them up to those persons appointed by the republic to take charge of confiscated property.

There certainly can be no question on this subject, under the laws existing among nations, but I shall not undertake to decide either on rights or pretensions to right, especially where I am not authorized to act; but it is proper that I should lay before you a state of facts, for your ulterior decision. The only one at present before me is the case of Colonel Laùmoy, to whom I shall write in answer to his applications, that I am not authorized to make payment but on production of the certificate, and therefore he must address himself on the subject to you, in the full confidence that right and justice will take place, such being the clear determination of the United States.

I am, &c.,

GOUVERNEUR MORRIS.

BARD TO HAMILTON.

NEW-YORK, March 4th, 1793.

SIR:

I dined a few days ago with a large company at Judge Duane's. In the course of the afternoon, you became the subject

of general conversation. It gave me the greatest pleasure to hear that just and grateful applause which all the company bestowed upon you.

Your friend General Gates declared whenever your idea was present to his mind, he could not help applying to you the beautiful epitaph Mr. Pope wrote to the memory of his friend, Mr. Secretary Craggs:

> "Statesman, yet friend to truth, of soul sincere,
> In action faithful, and in honor dear!
> Who broke no promise, served no private end,
> Who gained no title, and who lost no friend,
> Ennobled by himself, by all approved,
> Praised, wept, and honor'd, by the mass he loved."

It was unanimously and heartily agreed by this respectable company, that these lines exhibited an exact and perfect portrait of Colonel Hamilton's character. The delight I felt at this just and grateful eulogium has prompted me to communicate it to the only gentleman, who will probably feel less sensibility on the occasion, than any of his numerous friends. Though I presume, a just tribute of praise, which flows from a grateful sense of those great and essential benefits, man derives to his country, by superior abilities and unremitting devotion to its real interests, cannot be ungrateful to the generous donor himself.

I am, Sir,

With real respect and affection, &c.

HAMILTON TO ———.

August, 1793.

DEAR SIR:

Poor *Duer* has now had a long and severe confinement, such as would be adequate punishment for no trifling crime. I am well aware of all the blame to which he is liable, and do not mean to be his apologist, though I believe he has been as much

the dupe of his own imagination, as others have been the victims of his projects. But what then? He is a man—he is a man with whom we have both been in habits of friendly intimacy. He is a man who, with a great deal of good zeal, has in critical times rendered valuable services to the country. He is a husband, who has a most worthy and amiable wife, perishing with chagrin at his situation;—your relation by blood, mine by marriage;—he is a father, who has a number of fine children, destitute of the means of education and support, every way in need of his future exertions.

These are titles to sympathy, which I shall be mistaken if you do not feel. You are his creditor. Your example may influence others. He wants permission, through a letter of license, to breathe the air for *five* years. Your signature to the inclosed draft of one, will give me much pleasure.

Yours, A. H.

CABOT TO HAMILTON.

March 4th, 1798.

MY DEAR SIR:

The people of Massachusetts entertain the idea that a balance is due to the State more than sufficient to cover her State debt, and some anxiety has been excited in the legislation of that State, lest she should finally fail of receiving it. After the failure of the Assumption-Bill, I intended to have had five minutes conversation with you on the subject, but that your time seemed to be overcharged with other business.

I hope you will find leisure and inclination to furnish me soon with your ideas on the interesting subject of commercial policy, and that you will say definitively whether my continuance in the bank is to be desired or not, since it furnishes so copious a topic for complaint. I called this morning to bid you farewell, but you were absent.

May God bless you.

G. CABOT.

ELISHA BOUDINOT TO HAMILTON.

NEWARK, March 26th, 1793.

DEAR SIR:

After passing through a fiery ordeal, I suppose you have a few moments to breathe a milder air. The part the country in general take in your triumph over the envious and malicious, —enemies to the government as well as yourself,—must convince you that the influence of these *beings* extends but a little way out of their own selfish, narrow circle.

Mr. Low has been over with me, and we have concluded to put off the meeting of the directors till the 16th April, as then we should have a full board, in all probability, and be more likely to have your attendance. In fact, if you do not wish to forsake your child, it is absolutely necessary for you to attend at that time. Mr. Low informed Major L'Enfant, Mr. Colt, and myself, that Colonel Ogden would make an offer at that time, to deliver the water at Vreelandt's Point, purchase the lands necessary for the canals for £20,000, and if he did, he should be of opinion that it ought to be complied with. The Major then said, he would not begin any part of his plan that was not in actual operation until then; and they concluded to discharge the laborers that applied, and give out that they would not be wanted till the 20th April. This will occasion a delay that I am sorry for. Mr. Colt goes home, and will return by the time of our meeting. He is, I think, every way qualified for the business, and I have no doubt of its success under his management, as soon as the works can be set in motion. He is very much pleased with Peirce and Marshall, and they with him; and harmony is fully restored. Do not let these pompous, high-minded, *would-be kings*, though under the false garb of republicans, draw your attention from this great object, but look forward to those tranquil days when this child will be an Hercules, and you settled on the beautiful and peaceful banks of the Passaic, enjoying the fruits of your labor.

I am with respect, dear Sir, yours sincerely, &c.

CARRINGTON TO HAMILTON.

RICHMOND, March 26th, 1793.

MY DEAR SIR:

With very great pleasure I have complied with your request in getting the final proceedings of the House of Representatives inserted in the most public and generally circulating paper of this place, and sent them to Norfolk, Petersburg, Alexandria, and Winchester, with a request, through my friends at these places, that they be inserted in their papers, which will instantly be done.

The votes of Colonel Griffin, upon this occasion, were caught at by the enemies of the government, at the late election, which took place just about the time of their appearing; and, as will always be the case, a dangerous effect was produced amongst the public in every county in this district; but the activity of better men on that day, produced what the great body of the people, I think, are always ready to possess—a reasonable disposition—and his election was fortunately secured, to the great mortification of some of our most active demagogues; and I am well assured that, at this day, many who were carried away by the storm are much ashamed of their conduct.

You are, my good friend, too well acquainted with mankind to expect that you are to proceed in the administration of an office so efficacious in the operations of government as yours, without being constantly exposed to attacks. All that you can do is, to shield yourself, as you have done, against ultimate injury, by a steady exercise of your best abilities, and manifesting in every act an integrity, that even your enemies have not, in all their complaints of pernicious tendency in your measures, ventured to call in question.

You have this consolation, that do as they will with the further progress of your systems, they have proceeded far enough to evidence the solidity of the principles on which they were laid, and the ability with which they were set in motion. If they continue in their natural course, they will at last be your

most certain vindicators. If they meet with such interruption as to destroy them, worse measures, I apprehend, will often force the reflections of the people back upon them.

I am,

With very great regard, dear Sir,

Your affectionate friend and humble serv't,

ED. CARRINGTON.

HAMILTON TO KING.

PHILADELPHIA, April 2d, 1798.

MY DEAR SIR:

When you are acquainted with all the facts, I think you will alter the opinion you appear to entertain. My application comes literally within your rule. The loan is necessary for the current expenditure, independent of any new advance to France, or of purchases of the debt. This has arisen from my having been under the necessity of remitting to Holland, for a payment, in June, of 1,000,000 guilders, as an instalment of the principal, and 470,000 guilders for interest of the Dutch debt.

Late advices rendering it problematical whether a loan could be obtained for the purpose of the instalment, it became necessary to make this remittance to avoid danger to the public credit.

Hence, without a loan from the bank, I ought to calculate upon a deficiency in the present quarter (remember we are in April) of 672,023 dollars and 26 cents, and in the next, of 325,447 dollars and 28 cents.

This is the result of as accurate a view of receipts and expenditures as can now be taken. You will anticipate that, by all the expenditures not falling *actually* within the periods to which they are applicable, the real deficiency would not be so great as the calculated; but you will, at the same time, perceive that the view given supposes a state of the Treasury which renders an auxiliary indispensable.

At the same time, I cannot but think that you apply your principle too rigorously. I ought not to be forced *to divert, for a length of time*, funds appropriated for other purposes, *to the current* expenditure. To compel this, would be, in substance, to withhold the means necessary for the public service; for it would oblige the Treasury to employ an adventitious resource, which ought not to be so employed, and *that too* at a time when it could be employed advantageously, according to its original and true destination. I therefore think, independent of the real exigency, the bank ought to make the loan.

The loans to government stand on very different considerations from those to individuals. Besides the chartered privileges, which are the grant of the government, the *vast deposits* constantly on hand, and which ordinarily exceed the loans from the bank, frequently very greatly, are an advantage which, generally speaking, bears no proportion to the advantages of the dealings between individuals and the bank. Consider, too, what has been the state of things for some time past, and the real *sacrifices* which have been made not to distress the institution.

If for such accommodations equivalent services are not to be rendered, they could not easily be defended.

Besides, from the necessity of having a considerable sum on hand in the Treasury, and the natural course of the business, the bank is pretty sure of having always on deposit a large part of what it lends to the government. This does not exist, in any thing like the same degree, in the case of individuals.

You seem to calculate that the past advances will not be replaced. On the contrary, it is my intention, pursuant to stipulation, to repay as fast as the funds come in applicable to it; and in the last quarter of the year, I hope to make a considerable progress in the reimbursement; till then, it will not be practicable.

I do not know whether Mr. Kane stated to you the nature of my proposal. It was, that the payments should be made in four equal monthly instalments—the first on the first of June—and that each instalment should be reimbursed in six months. The real advance of the bank will be very temporary, indeed, before

greater sums will come into its vaults from the duties. In the last quarter of the present, and the first quarter of the ensuing year, very large receipts may be expected.

You are sure that while I seek to put myself in a proper posture, I shall not fail to have a due regard to the safety and interest of the institution.

It is much to be wished that I could be enabled to make some purchases, though this will not be the case with the loan in question, unless a loan shall also have been obtained in Europe.

A meeting of the commissioners has lately been called by Mr. Jefferson, out of the course heretofore practised, in which I have been pressed to declare *whether I had or had not funds applicable to purchases.* I answered so as to be safe. But you readily perceive the design of this movement. There is no doubt in my mind, that the next session will revive the attack with more system and earnestness—and it is surely not the interest of any body, or any *thing*, that a serious *handle* should be furnished.

On the whole, I am persuaded that the Bank can do what I ask without real inconvenience to itself; and my situation is such that I shall be compelled to find an auxiliary.

All the cry here is for peace. How is it with you?

Truly and affectionately,

Yours,

A. HAMILTON.

JAY TO HAMILTON.

NEW-YORK, April 11th, 1793.

DEAR SIR:

Your letters of the 9th inst. were this day delivered to me, as I was preparing to go out of town—the subject of them is important. I have not time to judge decidedly on some of the points. The inclosed will show what my present ideas of a proclamation are—it is hastily drawn—it says nothing of treaties—it speaks

of neutrality, but avoids the expression, because in this country often associated with others.

I shall be at Philadelphia in my way to Richmond. I think it better at present that too little should be said than too much. I would not receive any minister from a regent until he was regent *de facto;* and therefore I think such intention should be inferrible from the proclamation. Let us do every thing that may be right to avoid war; and if, without our fault, we should be involved in it, there will be little room for apprehensions about the issue. It is happy for us that we have a President who will do nothing rashly, and who regards his own interest as inseparable from the public good.

Yours sincerely, &c.

KING TO HAMILTON.

April 24th, 1793.

Averse to any connection with the war beyond what may be permitted by the laws of strict neutrality, we are pleased to see the Proclamation. I have no precedents with which to compare it, but I could have wished to have seen in some part of it the word "Neutrality," which every one would have understood and have felt the force of.

Having anxiously considered the points respecting which we conversed when I was with you last, I hope you are founded in your opinion. The change which has happened will not, perhaps, justify us in saying "the Treaties are void"—and whether we may contend in favor of their suspension is a point of delicacy, and not quite free from doubt. The authority of the present Government is coextensive with their territory, which is free from the possession of their antagonists.

Prudence would seem to require us to move with caution, and by delay to insure a safe decision. The mere reception of the minister will do us no injury, although I am inclined to be-

lieve, that in order to avoid being pressed on points we may wish not to decide, it will be best to qualify the reception of the minister in such a manner as will save our commitment in reference to those questions we wish to stand open.

Our treaty with Holland may be used with advantage. The report of Mr. Le Brun to the Convention respecting perfidy of the monarchy towards us, is proof of such a want of good faith as poisons the whole treaty.

Have you noticed that the 16th article of the Treaty of Commerce between England and France is in the teeth of the 22d article of the Treaty of Commerce between France and us? On the principle that all the articles of a treaty have the force of conditions, the violation of this article by France would give us the power to renounce the whole treaty.

Examining our laws respecting the registry of our ships and vessels, I was struck with a difficulty which will luckily be in the way of our purchasing prizes brought into our ports by any of the powers at war. It is worth your attention. As the law stands, I do not perceive that any such vessels can be protected by the American flag, even though owned bonâ fide by American citizens. Of this point, however, I will not be confident. Such vessels, beyond doubt, will be liable to pay the foreign tonnage.

The conduct of England in searching our ships, and impressing seamen engaged under our flag, is very different in the present armament from what it was in the late armament against Spain. The masters of our ships which have arrived here from England, as also those who have arrived from Ireland, speak with the appearance of national pride when they mention the hotness of the press and the entire exemption of ships which sail under our flag. The circumstance is one from which we may make pretty certain inferences. Farewell. I wish I could give assistance to the measures and maxims you will pursue. We must not become entangled with this mad war.

Yours, &c.,

RUFUS KING.

CARRINGTON TO HAMILTON.

RICHMOND, April 26, 1793.

DEAR SIR:

I am favored with yours of the 10th instant. Your determination to persevere with patience in your labors to establish a permanent and successful system of revenue and credit for the United States, must give satisfaction to all who feel that these are the only supports of public safety and private prosperity. I am well assured that in private life, you experienced pecuniary advantages, and personal ease, both of body and mind, not to be found in your present office, even were all hands to unite for your assistance; great indeed must be then your sacrifices, when, instead of this generous assistance, you are beset with numerous hostilities.

To your inquiries respecting the public mind in Virginia, in regard to the events which are happening in Europe, I will give the most satisfactory answer I can; it is not, however, unknown to you, that upon things so remote, but few are heard actually to speak, and these generally take the liberty to affix the name of the people to their own suggestions. The truth is, that the great body of the people desire nothing that will interrupt the freedom, peace and happiness, they now enjoy. With regard to the cause of France, I believe the general wish is for its success. My own sentiments are in favor of such reforms in most of the governments in Europe, and indeed in the world, as will give to the human race the most free governments it can enjoy. The experiments in France have not, however, been very flattering. This applies to your first question.

As to the second—I believe the decapitation of the king is pretty generally considered as an act of unprincipled cruelty, dictated by neither justice nor policy. In my own mind, it was a horrible transaction in every view; and to an American, who can even yield to its propriety, it ought to be felt as a truly sorrowful event.

As to the third—I have no doubt that the sense of this country

is for a perfect neutrality, if it can possibly be had. My own sentiments are, that the French, from having commenced one of the noblest causes that ever presented itself in any country, have lost themselves in the wildest quixotism; my wish is that they may recover their reason, and establish for themselves a good government, leaving other countries to judge for themselves. If they do this, they need not fear the combinations of their enemies.

As to the 4th and 5th—so far as I have heard observations upon the subject of the treaty between France and America, it appears to be considered that no alteration in the government of either country changes the obligations of pre-existing treaties. At the same time, it is generally held that, should we in consequence of treaty, be bound to take any other than a neutral station in the business of France, it will be an unfortunate circumstance, as we could do them no real service, and would involve ourselves in distress. I have no doubt of its being the general opinion, that if we, of right, have an option, the most perfect neutrality ought to be observed. We have in this, as there are no doubt in every State, some characters to whom any thing but quiet would be agreeable. This, however, is not the case with the great body of our fellow-citizens, and the few who are desirous of new adventures, will, doubtless, have the consent of their countrymen to go to France in quest of them. My own sentiments on these two questions are, that in determining what is to be done in regard to the treaty, several considerations present themselves. 1st. Its applicability to the present state of the parties. 2dly. The reasonableness of calling, on the part of the French, for a performance of it on ours, in reference to the original motives for entering into it. 3dly. The probable consequences to both parties from an attempt to fulfil the required service. The first consideration I shall leave to those well versed in the laws of nations; and, perhaps, the sentiments of the people in the Islands concerned, may claim some regard in the determination. If they are desirous of adhering to the old government, it may not be an insupportable opinion, that theirs is the claim upon us for the guarantee promised in the treaty.

Upon the principles of liberty and equality, it would seem that this distinct part of the old kingdom should have a free choice upon the subject of the revolution. The American confederacy, as well as I recollect, demanded not the co-operation of Georgia until she, some time after the commencement of our opposition to Britain, voluntarily joined her sister colonies; nor did we, during the war, claim the allegiance of Canada; and our connection with these colonies in a common subjection under the British monarchy was as complete, and locally more so, than France and the French islands under the French monarchy. To this, it may with some plausibility be said, that the American rise was not a revolution of the national supreme power, but only a separation of a part from it, and, therefore, not applicable in the present instance. Granting this, we have a more recent one, which the principle of this objection renders certainly applicable. In our late change of government, when a sufficient number of States had adopted a new form to give it effect, the constituted power did not claim right of government over the two non-adopting States, until they, voluntarily, re-considered the subject and adopted.

There can be no doubt but, that at the time of this event we were an entire nation, bound together under one government, and that the change was a revolution of the national supreme power, as completely as that which has taken place in France. I should suppose that, should these islands elect to place themselves in a situation independent of the French republic, or even under the protection of any other power, such election would be in perfect consistency with the avowed principles of that republic; and when we consider the actual situation of the islanders, as well in regard to the nature of their property, as their dependence upon foreign protection, it is highly probable that, if they be taken by any of the maritime powers, now combined against the French, the event will be a consequence of their desiring it. Upon the second consideration, it must be concluded, that each of the contracting parties had regard to the extent of its engagement, and relied as much on mutual good faith in reasonable constructions of, as compliances with the stipulation contained in

the treaty; and it would seem that, upon either involving itself in war by voluntary acts, which cannot be supposed to have been contemplated at the time of contract, there can be no equitable claim upon the other for performance. Could it be at the time of the treaty in contemplation of the United States, that a revolution, such as has happened in France, was possible, and that the new power, before organizing itself upon a rational form, would be *crusading* it after the liberties of other countries, and by that means arming all Europe against it? Had they foreseen that such was to be the state of French affairs, would they have bound themselves to guarantee the islands under the consequent wars? I presume that had the United States at any time after the peace thought proper to attempt the freeing of Canada from Britain, or the Spanish colonies from Spain, neither the king, nor even the republic of France, would have thought we had a reasonable claim upon that nation for a participation in the war, on account of her having, in general terms, guaranteed our liberty and independence as well in government as commerce. Upon the third consideration, could our attempting a compliance with the treaty, produce good to the French cause? We have not, nor had we at the time of the contract, a navy—the only means by which the islands can be protected against naval powers; we could, therefore, give no immediate defence in that quarter. We might attack Canada, and, upon the same principle, the Spanish colonies also; but any offensive operation would, at once, involve us in war with these, and all the combined powers; this must inevitably interrupt our trade, which neither America nor France is in a situation to protect, and prevent those supplies of provisions now sent to Europe, of which France is in greater need than any of her enemies. This consequence would follow, even should no part of the forces destined to act against the republic, be diverted to act in America; and should such diversion take place, the scene here would be so considerable as to interrupt our agriculture, and abridge, if not totally prevent, a surplusage of provisions for exportation. These would undoubtedly be the consequences to France from any attempt on our part to assist her as an ally; and, it does appear to me, that her true

policy, if she shall be in temper to reflect on it, is, to be vigilant in keeping the United States clear of the war, leaving them to enjoy of the *mare liberum* as fully as possible. This is the only country from which she can expect supplies of provisions, and if we can retain the free use of the seas she will be more certain of receiving them in the course of trade, than by a feeble attempt of government to supply her against the fleets of her enemies. The consequences to the United States, from an attempt to comply with the treaty, need not be mentioned. They must be evident to all who think at all on the subject; nor will any one whose happiness is connected with that of his country, be willing to encounter them, but under the pressure of inevitable necessity. This, I am inclined to think, will not occur, if we are wise. The inhabitants of the United States ought to rejoice that, being no longer adventurers for their own liberties, they are too remote from the countries which have the desperate game to play, to be brought into hazard with them.

In answer to your sixth question, I suppose the ambassador from the French republic might be received, *in form*, without the least impropriety, upon the ground of neutrality. He comes from the prevailing authority of the nation, and it would seem that any government refusing a reception, would manifest more than a spirit of neutrality. The conduct of England on this point was followed by effective measures against the republic. The expediency of a reception in form, I have no doubt of. Upon more considerations than the mere propriety of it, it will prevent many cavils against our administration. It is proper for me to inform you that we have amongst us those who are preparing the people for such an event as a refusal, under the old story of an Eastern influence in favor of monarchy in America, consequently, unfriendly to the liberties of France. You will readily perceive that the motive for this, arises less from a zeal for the cause of France, than a desire to destroy the confidence of the people in their own government.

I would be for receiving the ambassador from the French republic, and from any other of the belligerent powers, but would be *publicly explicit* as to a perfect neutrality. The French, I

suppose, have a good pretext for business with us not connected with a participation in the war. The debt, which it appears to be understood, ought to be paid to the existing authorities, is certainly no unimportant ground of intercourse.

The only chance that I can now perceive for the United States being lugged into the war is, that Great Britain may attempt to restrain, by force, the passage of their ships into the French ports with provisions, and our feeling it necessary for the public honor, to resent the injury, should such a circumstance happen. We shall, I suppose, have a delicate, and, perhaps, difficult part to act. I cannot however be very apprehensive of our being brought into the difficulty, if we evidently preserve a neutrality. If we leave our trade open to all countries, and our citizens free to visit all ports, I see not how Great Britain can have a pretext to meddle with our vessels going into France, unless laden with what are called contraband articles, or approaching places besieged, &c. Some of our hot heads throw out opinions that we should attempt, by an order of government, an exclusive exportation to France; these, however, are few and contemptible. The nation that would attempt this, without even one armed ship, and in behalf of a nation too, whose naval force is impaired, and far inferior to that of her enemies, would indeed entitle itself to the ridicule of the whole world. It is certain that France could derive no benefit from such an attempt, which she may not secure without our infringing the rights of neutrality. Having no navy, we must rely altogether, in the effort, upon her convoys; and if these could cover our trading ships, their own might, under the same convoys, pass safely home with the provisions purchased in our ports.

I have, my dear sir, complied with your request in giving the result of my observations and reflections upon the present very important crisis, and have endeavored to render them worth your trouble in asking for them. Your own judgment will direct you how far to rely upon their accuracy. With every sentiment of private friendship, and the fullest confidence in your public administration,

I am your affectionate humble servant,

ED. CARRINGTON.

STEELE TO HAMILTON.

SALISBURY, April 30th, 1793.

MY DEAR SIR:

This morning Mr. Genet, the French Minister, set out from this place for Philadelphia. His route is by Richmond, thence to Mount Vernon, where he hopes to see the President. It will require eighteen or twenty days for him to reach Philadelphia, though he professes, and really seems to be in haste.

You have heard much of *this citizen*, no doubt, and therefore any thing of him from me will seem superfluous; but as I am writing of the man that we are all afraid of, permit me to say that he has a good person, fine ruddy complexion, quite active, and seems always in a bustle, more like a busy man than a man of business. A Frenchman in his manners, he announces himself in all companies as the minister of the republic, &c., talks freely of his commission, and,like most Europeans, seems to have adopted mistaken notions of the penetration and knowledge of the people of the United States. He is, or affects to be, highly gratified by the affectionate treatment he has thus far experienced from the Americans, except of Charleston, where an insult was offered to a French seaman, which he attributes to the merchants, who seem in his opinion almost wholly attached to the British. The minister, notwithstanding his good-nature, spoke angrily of this insult, and for a moment deviated from his system, which I think is to laugh us into the war, if he can. The best informed men in this State, who are wholly disinterested, continue uneasy, from an apprehension that our political connection with France, and our commercial intercourse with England, will place the United States in a delicate, if not a dangerous situation during the war. My own mind has been at ease since the communication which you were pleased to make me of your sentiments on that subject in Philadelphia.

This conversation having been confidential, I have never considered myself at liberty to repeat any part of it, but I have often said, on proper occasions, that the friends to neutrality and

peace would find in the Secretary of the Treasury an able and zealous friend. In short, the best men in this country rely chiefly upon your talents and disposition to avoid the rocks which lie upon the right hand, and upon the left, ready to dash our young government to pieces upon the least unskilful pilotage.

This part of the country affords nothing worth attention, except the prospect of plentiful harvests, and a good share of political contentment.

Those who have usually been most clamorous are now in Congress, where you may be assured they can do less evil than at home.

With these *honorable citizens* I am perfectly acquainted, and could give you a more certain description of their characters than of the *illustrious Republican* who occupies a considerable space in this letter. But you will know them soon enough. Perhaps I may say a word or two of each of the new ones, some time before next December, as it is certainly important that a man in your situation should know what sort of materials he has the misfortune to work with.

Commend me to the remembrance of Mrs. Hamilton, and believe me to be,

With perfect respect,

Your most humble servant,

JNO. STEELE.

HAMILTON TO KING.

PHILADELPHIA, May 2d, 1793.

The failures in England will be so seriously felt in this country as to involve a real crisis in our money concerns.

I anxiously wish you could be here to assist in the operations of the Bank of the United States. Never was there a time which required more the union of courage and prudence than the

present and approaching juncture. You can imagine all that I could add on this subject. Is it impossible for you to spend a month with us?

Yours truly,

A. HAMILTON.

MRS. GEN. GREENE TO HAMILTON.

MULBERRY GROVE, May 10th, 1793.

MY DEAR SIR:

Your letter, dated the 3d September, 1793, arrived here 20th of April, and the moment I received it I got into my boat, and hastened to town with all possible speed, having no person here before whom I could legally swear to the inclosed facts, as nearly as I can recollect them. Judge Pendleton was then in court; I did not hesitate to send for him, and told him the wretched situation I was in on your account; and after a little *raillery* he consoled me by telling me that your affair had, some time since, been settled very much to your honor, and that now my deposition would be of no use—the fact being produced in the public prints only could induce me to delay it a moment.

I send it therefore, *now*, not with an expectation that it will be of the least consequence, but only to show you that I can never be ungrateful to a man whose perfections are the only source of malicious calumny, and whose goodness to me will never be forgotten.

It is now more than a year since I ordered Mr. Ward, of New-York (my agent there), to pay you the sum you were so good as to lend me in my distress, and I will thank you to write me one line to let me know if you have received it.

I am, and ever shall be,

Your devoted, affectionate and grateful,

CATH. GREENE.

Mr. Miller has just returned from Augusta, and tells me that

the money has not been paid according to my order, as the certificates which were lodged for that purpose have not been sold, but that he will make other arrangements to have it paid.

HAMILTON TO ———

1793.

You ask me if the newspapers of Philadelphia give a true picture of the conduct of its citizens on the occasion of the arrival of Mr. Genet, and whether the great body of them are really as indiscreet as those papers represent them.

It gives me pleasure to be able to answer you in the negative. I can assure you upon the best evidence, that, comparatively speaking, but a small proportion of them have had agency in the business.

Though the papers, on the morning of the dayo f Mr. Genet's arrival, announced his approach, and at o'clock three guns were fired from the frigate as a signal to those who were disposed to go to meet him at Gray's ferry, as had been previously concerted and notified in the papers, and though we are *told* by some of the printers, that all the outlets from the city were crowded with persons going out to meet Mr. Genet, the fact is, that a very inconsiderable number indeed went out. It is seldom easy to speak with absolute certainty in such cases, but from all I could observe or have been able to learn, I believe the number would be stated high at a hundred persons.

In the evening of the same day, according to notice in an evening paper, which came out earlier than usual for the purpose, a meeting was convened at the State House yard, under the direction of the same persons who had projected the going out to Gray's. This meeting was also inconsiderable. From forty to one hundred persons give you the extremes of the numbers present, as reported by those who were at the meeting or in a situation to observe it.

Here a committee was appointed to prepare an address to Mr. Genet; and another meeting of the citizens was advertised for the ensuing evening at the same place, the object of which, it seems, was to consider and approve the address.

This last meeting is stated differently, from three hundred to one thousand. An accurate observer, who was a by-stander and paid particular attention to the matter, assures me, that there were between five and six hundred assembled. I rely upon this as about the truth.

The persons who were met approved the address which had been prepared, and, as you have seen, nominated a committee to present it, whom they accompanied to Mr. Genet's lodging at the City Tavern.

On their way to the City Tavern, their number was, as you will imagine, considerably increased. A crowd will always draw a crowd, whatever be the purpose. Curiosity will supply the place of attachment to or interest in the object. What number may have been assembled in the vicinity of the City Tavern, it is impossible to say. The evening being pretty far advanced, was alone an obstacle to judging.

But the true test was the meeting in the State House yard. 'Tis there we are to look for the real partisans of the measure. And, according to this standard, it may be pronounced that not a tenth part of the city participated in it.

You ask who were its promoters. I answer, that with very few *exceptions* they were the same men who have been uniformly the enemies and the disturbers of the government of the United States. It will not be surprising, if we see ere long a curious *combination* growing up to control its measures, with regard to foreign politics, at the expense of the peace of the country—perhaps at a still greater expense.

We too have our disorganizers. But I trust there is enough of virtue and good sense in the people of America to baffle every attempt against their prosperity, though masked under the specious garb of an extraordinary zeal for liberty. They practically, I doubt not, adopt this sacred maxim, that without government there is no true liberty.

I agree with you in the reflections you make on the tendency of public demonstrations of attachment to the cause of France. 'Tis certainly not wise to expose ourselves to the jealousy and resentment of the rest of the world, by a fruitless display of zeal for that cause. It may do us much harm, and it can do France no good (unless indeed we are to embark in the war with her, which nobody is so hardy as to avow, though some secretly machinate it). It cannot be without danger and inconvenience to our interests to impress on the nations of Europe an idea that we are actuated by the *same spirit* which has for some time past fatally misguided the measures of those who conduct the affairs of France, and sullied a cause once glorious, and that might have been triumphant. The cause of France is compared with that of America during its late revolution. Would to Heaven that the comparison were just. Would to Heaven we could discern in the mirror of French affairs the same decorum, the same gravity, the same order, the same dignity, the same solemnity, which distinguished the cause of the American Revolution. Clouds and darkness would not then rest upon the issue as they now do. I own I do not like the comparison. When I contemplate the horrid and systematic massacres of the 2d and 3d of September; when I observe that a Marat and a Robespierre, the notorious prompters of those bloody scenes, sit triumphantly in the convention and take a conspicuous part in its measures—that an attempt to bring the assassins to justice has been obliged to be abandoned; when I see an unfortunate prince, whose reign was a continued demonstration of the goodness and benevolence of his heart, of his attachment to the people of whom he was the monarch, who, though educated in the lap of despotism, had given repeated proofs that he was not the enemy of liberty, brought precipitately and ignominiously to the block without any substantial proof of guilt, as yet disclosed—without even an authentic exhibition of motives, in decent regard to the opinions of mankind; when I find the doctrines of atheism openly advanced in the convention, and heard with loud applauses; when I see the sword of fanaticism extended to force a political creed upon citizens who were invited to submit to the

arms of France as the harbingers of liberty; when I behold the hand of rapacity outstretched to prostrate and ravish the monuments of religious worship, erected by those citizens and their ancestors; when I perceive passion, tumult, and violence usurping those seats, where reason and cool deliberation ought to preside, I acknowledge that I am glad to believe there is no real resemblance between what was the cause of America and what is the cause of France; that the difference is no less great than that between liberty and licentiousness. I regret whatever has a tendency to compound them, and I feel anxious, as an American, that the ebullitions of inconsiderate men among us, may not tend to involve our reputation in the issue.

JAMES HAMILTON TO HAMILTON.

St. Vincents, June 12th, 1793.

Dear Alexander:

I wrote you a letter, inclosed in one to Mr. Donald, of Virginia, since which I have had no further accounts from you. My bad state of health has prevented my going to sea at this time—being afflicted with a complication of disorders.

The war which has lately broke out between France and England makes it very dangerous going to sea at this time. However, we daily expect news of a peace, and when that takes place, provided it is not too late in the season, I will embark in the first vessel that sails for Philadelphia.

I have now settled all my business in this part of the world, with the assistance of my good friend, Mr. Donald, who has been of every service to me that lay in his power, in contributing to make my life easy at this advanced period of life. The bearer of this, Captain Sherriff, of the brig Dispatch, sails direct for Philadelphia, and has promised to deliver you this letter with his own hands; and as he returns to this island from Philadelphia, I beg

you will drop me a few lines, letting me know how you and your family keep your health, as I am uneasy at not having heard from you for some time past. I beg my respectful compliments to Mrs. Hamilton and your children, and wishing you health and happiness, I remain, with esteem, dear Alexander,

Your very affectionate father,

JAMES HAMILTON.

LEE TO HAMILTON.

RICHMOND, June 15th, 1798.

MY DEAR SIR:

We have heard here that a circular letter from you to the several collectors relative to French prizes has given great offence to the British minister, and that this conduct on the part of the United States will contribute to produce a rupture with Great Britain. I should be very much obliged to you for the truth on this point and its expected consequences.

Peace to America is, in one word—our all. A set of clamorous desperadoes, in their fortunes or political hopes, cry aloud for war, and I fear Great Britain is not indisposed to take advantage of every event to injure us. What the intemperance of some among us, and her solicitude to avenge past disgrace may produce, time alone can unfold; but I hope that the true friends to their country will every where and on every occasion, unite to prevent the calamity of war.

What is the real state of things in France; and will not her enemies, after victory there, feel the exploit but half accomplished, unless we also are politically changed? On this ground I sometimes apprehend danger, but am revived again, when I look at the sea which divides us, and reckon on the exhausted state of their finances. Farewell.

HENRY LEE.

HAMILTON TO KING.

June 15th, 1793.

DEAR SIR:

The ideas expressed in your letter of the 14th, correspond with my view of the subject in general. I did not perceive that any process could be devised to detain the privateer, and concluded, that the issue would be to leave her in military custody. Indeed, I believe this was rather the expectation with all, though it was thought advisable to make the experiment of a reference to the civil tribunal.

With regard to the Catharine, I also entertain the doubt you appear to have. In the case of the Grange, the surrender was brought about by a demand of Mr. Genet, and his interposition. But it was in contemplation of employing the military in case of refusal.

Yet, since that time, a libel has been filed in the District Court in the case of another vessel, alleged to have been captured, within the limits of our jurisdiction. And both Mr. Lewis and Mr. Rawle, attorney of the district, hold that the District or Admiralty Court will take cognizance of this question. They argue that it would be a great *chasm* in the law, that there should not be some competent judicial authority to do justice between parties in the case of an illegal seizure within our jurisdiction. That the Court of Admiralty has naturally cognizance of tortious takings on the high seas, and as she gives relief *in rem*, may cause a re-delivery. That though, as a general principle, a court of a *neutral nation* will not examine the question of prize or not prize between belligerent powers—yet this principle must except the case of the infraction of the jurisdiction of the neutral power itself. Quoad this fact, its courts will interpose and give relief.

This is their reasoning, and it has much force. The desire of the Executive is to have the point ascertained, and if possible to put the affair in this train. There may arise nice difficulties about the *fact*, and nice points about the extent of jurisdiction at sea, which the courts had best settle.

The contest in form must, as you say, be between the *owners* and the captors. For this purpose, Mr. Hammond is to cause the proper instructions to be given.

Yours truly,

A. HAMILTON.

There is a letter from *me* to Harrison. If Troupe has not opened it let him do it.

HIGGINSON TO HAMILTON.

BOSTON, July 26th, 1793.

DEAR SIR:

We have here our French party and French politics as well as you; and they are taking measures here, as well as with you, to bring us to a serious point. They mean, I am satisfied, to force a discussion on the question of their right to fit out privateers, to originate new expeditions in our ports, to cruise on their enemy. From the conduct and observations of the consul here, and what we learn to be the language and conduct of the minister in Philadelphia, there is strong reason to believe that it is part of a system of policy towards us which their people are directed to pursue. They will try how far they can use us to their purpose without coming to points. They will then push us to a decision that shall leave them at option to part from us, or not, as they may think best, and on such ground as will appear decent abroad, and not compel their partisans here to desert them. Such is my view of French politics at this moment, relative to the United States.

This is a critical period in our affairs. We have a narrow and difficult pass to go through; and the longer it is delayed the greater will be the danger, in my opinion.

It is asked by demagogues, why do individuals or classes of men interfere, who have no authority to interpret treaties, not even for themselves as a rule of conduct? If government, or those whose duty it is, think the right claimed by the French is not founded, and against treaty, the laws of nations and our interest, the proper officers would appear and the exercise of the right be prohibited. Such observations have weight, and many good men, who well intend and who well support government in the execution of laws, are much perplexed and made to waver.

In this State there is but one opinion, except in this town. Here dwell all the seditious, and desperate; and here we have lately had to combat and to subdue them, both in a meeting of the trade, and of the town. It was a good opening to give a full approbation of the late proclamation, and to get the citizens pledged in favor of neutrality, and the measures of government, and to excite similar feelings and votes in other towns. I expect we shall have in this way the voice of a large part of the State, perhaps above a hundred towns.

These proceedings you will see in the papers, but not the effects yet.

I offer you these facts and observations, as matter of information, which may or may not be useful. To judge from the state of things here, the sooner we come to the touchy points, which seem to arise out of our case, and not to be avoided, the better it will be. Let us take our stand upon clear ground, or the best which our case will admit, seems to be here the general language.

But here we see in part only, and may not know of difficulties which perplex government.

Pacificus is operating here without interruption. Our patriots, though pressed to enter the field, dare not venture on more than street harangues. I am pledged to meet Dr. Jarvis, the bell-wether of the flock, either in public discussion in person, or upon paper, whenever he shall notify the intention of making a formal attack.

If there is a clear line of distinction, founded in reason and upon treaty, between the refitting, &c. of prizes and privateers, as I suppose, and the originating new armaments in our ports, it will be very happy for us here to have it drawn. We have so many people who have been in the habit of privateering, who are now hungry and enterprising, and who have many facilities to engage in that business, it will be very difficult to restrain them from being concerned in the vessels fitted out, and perhaps from going in person. In such cases the incitement will be so strong, and the means of covering themselves under French names, &c. so easy, that the evil may extend very far, and many of our citizens be seduced from their duty.

I am respectfully, Sir, your humble servant,

STEPHEN HIGGINSON.

KING TO HAMILTON.

NEW-YORK, Saturday, 3d August, 1793.

The French fleet from the Chesapeake arrived here yesterday and are in the North River, above the Battery. The Ambuscade also arrived last evening, and her accounts, confirmed by those of many spectators of the combat, leave no doubt of the flight of the English frigate.

You will have seen in our newspapers, an invitation for a meeting in the fields, to address Mr. Genet, who is daily expected here. This business originated with M. Smith, Osgood, B. Livingston, Nicholson, and others of like political character. Between two and three hundred persons assembled, and I am told they were generally antifederal. Nicholson was in the chair. An address was produced and adopted, and a committee of thirty or forty persons appointed to present it.

These gentlemen will not be stopped by trifles. They already affirm that the cause of France is that of America; that it is time

to distinguish its friends from its enemies; that in respect to the rumor of Mr. Genet's appeal to the people from the decision of the Executive, the people are competent judges of their own interest and obligations; that there can be no danger to them from the free exercise of their judgment on so great and interesting an occasion. True it is that their decision may displease men in high authority, but that will not prove their judgment to have been erroneous—nay, some of these gentlemen go further, and not only excuse, but applaud the decree of the French convention, which not only contravenes our treaty of commerce, but grossly violates the best established rules in the law of nations. In short, my friend, unless the Executive will quickly and vigorously exercise its *powers* in checking the influence of Mr. Genet, it may experience the mortification of seeing them perish in its hands. Our Chamber of Commerce will on Tuesday pass resolutions approving the proclamation, and we are resolved to try the citizens for the like purpose. But this is altogether wrong. We have with great trouble established a Constitution, which vests competent powers in the hands of the Executive. It is the duty of that department to see that the laws are executed, and the peace and order of the community preserved. It was never expected that the Executive should sit with folded arms, that the government should be carried on by town meetings, and those irregular measures which disorganize the society, destroy the salutary influence of regular government, and render the magistracy a mere pageant.

The decree of the French convention has thrown the mercantile people into the greatest embarrassments. Insurance on American vessels and cargoes cannot be made without paying war premiums. I am told that where four or five per cent. was given, eighteen and twenty are now required. Adieu.

Yours, &c.

HAMILTON TO KING.

PHILADELPHIA, August, 13, 1793.

DEAR SIR:

The post of to-day brought me your letter of the 10th, but I was too much engaged to reply to it by return of post.

The facts with regard to Mr. Genet's threat to appeal from the President to the People, stand thus:—

On Saturday, the 6th of July last, the warden of this port reported to Governor Mifflin that the brig Little Sarah, since called the Petit Democrat (an English merchant vessel, mounting from two to four guns, taken off our coast by the French frigate, the Ambuscade, and brought into this port), had very materially augmented her military equipments; having then fourteen iron cannon and six swivels mounted; and it being understood that her crew was to consist of one hundred and twenty men.

Governor Mifflin, in consequence of this information, sent Mr. Dallas to Mr. Genet, to endeavor to prevail upon him to enter into an arrangement for detaining the vessel in port, without the necessity of employing for that purpose military force.

Mr. Dallas reported to Governor Mifflin, that Mr. Genet had absolutely refused to do what had been requested of him; that he had been very angry and intemperate; that he had complained of ill-treatment from the government, and had declared that "he would appeal from the President to the people;" mentioned his expectation of the arrival of three ships of the line—observing that he would know how to do justice to his country, or, at least, he had a frigate at his command, and could easily withdraw himself from this; *said that he would not advise an attempt to take possession of the vessel, as it would be resisted.*

The refusal was so peremptory, that Governor Mifflin, in consequence of it, ordered out 120 men for the purpose of taking possession of the vessel.

The conversation between Genet and Dallas was, in toto, repeated by Governor Mifflin to General Knox the day following,

and the day after that, the Governor confirmed to me the declaration with regard to appealing to the people; owned that something like the threat to do justice to his country, by means of the ships of the line, was thrown out by Mr. Genet, but showed an unwillingness to be explicit on this point; objecting to a more particular disclosure, that it would tend to bring Mr. Dallas into a scrape.

Mr. Jefferson, on Sunday, went to Mr. Genet, to endeavor to prevail upon him to detain the Petit Democrat till the President could return and decide upon the case; but, as Mr. Jefferson afterwards communicated, he absolutely refused to give a promise of the kind, saying, only, that he would not probably be ready to depart before the succeeding Wednesday, the day of the President's expected return. This, however, Mr. Jefferson construed into an intimation that she would remain. Mr. Jefferson also informed, that Mr. Genet had been very unreasonable and intemperate in his conversation (though he did not descend to particulars), *and that Dallas had likewise told him (Mr. Jefferson) that Genet had declared he would appeal from the President to the people.*

The Petit Democrat, instead of remaining as Mr. Jefferson had concluded, fell down to Chester, previous to the Wednesday referred to, where she was when the President returned. A letter was written to Mr. Genet, by order of the President, informing him that the case of the vessel, among others, was under consideration, and desiring that she might be detained until he should come to a decision about her; but this requisition was disregarded. She departed in defiance of it.

I give the detail, that you may have the whole subject before you; but I cannot give leave to make use of it all. The circumstance of the letter may be omitted. It may be said, generally, that a requisition was made of Mr. Genet, by order of the President, for the detention of the vessel. All that part, however, which is scored or underlined, may be freely made up. This part is so circumstanced as to take away all scruples of personal or political delicacy. 'Tis not so with the rest. It can therefore only be confidentially disclosed to persons whose dis-

cretion may be relied on, and whose knowledge of it may be useful.

It is true (as you have heard) that things, if possible still more insulting, have since been done by Mr. Genet; but of this, at present, no use can be made, no more than of some antecedent transactions nearly if not quite as exceptional. The mass would confound Mr. Genet and his associates. Perhaps it may not be long before a promulgation of it will take place.

I am of opinion with you, that the charge ought to be insisted upon.

Yours,

A. HAMILTON.

P. S. It is to be observed, that the equipments of the Petit Democrat are, in the strictest sense, an original fitting out. She was before a merchant vessel; here she was converted into a vessel commissioned for war, of considerable force.

HAMILTON TO KING.

August, 1798.

MY DEAR SIR:

It is not yet finally determined that there shall be a publication, and there has been some difference of opinion on the point. But it seems to me the publication of the letters renders it indispensable that the whole should be told. Yet, when it appears, it will probably include only what is regularly official, so that the present question may be pursued independently.

Perhaps you will not think it necessary at first to say to whom Dallas reported the conversation. Yet, if you deem it essential, it may be done; and should it be finally necessary, which is not

at all probable, General Knox and myself will come forward as witnesses.

Yours truly, &c.

HIGGINSON TO HAMILTON.

BOSTON, August 24th, 1793.

DEAR SIR:

I have thought that in the present state of things it may be useful for you to know what has been done here relative to the French claims of a right to fit out privateers in our ports, and the feelings and conduct of people this way on that subject. Upon inquiry, I cannot learn that you will have received any further information than what the newspapers will give you; but from them you will not learn all that may be useful. Upon this subject there is but one opinion in every part, and throughout this State, except in this town; and here there are but a few who advocate the French claims, and these are made up of inveterate anti-federalists and men desperate in their circumstances.

The former will join any party, and pursue any measures to embarrass the Union; and among these are our Governor and Lieutenant-Governor, and some others in public life, together with some of the principal officers in your department, employed in the customs. These have thrown every obstacle in the way of the merchants and others who have endeavored to check the spirit for privateering which appeared among our citizens; and they encouraged the French consul and his partisans in fitting out cruisers, by advocating openly their right to do it, and by more privately advising them how to conduct. Mr. Gore has exerted himself much to restrain them; but he has derived no aid from the custom-house, and he has found it difficult to make them act even where the line of duty was too clear to be con-

tested; and where it was not so clear, they have declined moving at all—their whole weight, indeed, has been obviously in favor of the French claims and against government. Some of them have so conducted from habit and inclination, having been always connected intimately with the disaffected opposers of all government, whether of the State or the Union; others may hereafter appear to have had a particular interest in promoting the business.

Nor will the executive of our government afford more aid to the Union. Memorials were presented to the governor by the merchants and Mr. Gore, when the privateers were fitting out, stating the facts supported by evidence. This led him to call on the attorney-general for his opinion, who replied in writing that the French had no such right by treaty. But the weight of his privy counsellors over-balanced, aided by his own feelings, every thing else; and they were permitted to go out and cruise at the mouth of our harbors. Fair promises were made of doing what should appear to be proper; but no decision was ever had upon any question, and the French consul met with no interruption from our government.

In a few days two prizes and a privateer arrived here on the day when your circular letter made its appearance in the papers. One of the prizes was replevied by the marshal. He took possession of her; but the consul with an armed force from the frigate dispossessed the marshal and carried the prize under the stern of the frigate, and gave the captain of the frigate written orders to protect her from any arrests. The marshal remained on board, in appearance a prisoner, for three days. Memorials and remonstrances were made during this time to the governor, the consul, and the captain of the frigate, to no purpose. The former would not move in the business—the consul would not order her to be released, and the captain said he could not release her by his instructions without an order from the consul, but added that the latter was a fool and blockhead so to conduct. Thus they remained till this day, when the captain of the frigate, provoked and tired of his situation, went to sea, leaving

the prizes behind, when the marshal again got possession of the prize, and has brought her to the wharf.

The other prize, American property, was ordered two days ago to be also replevied, and the precept given to the sheriff, a governor's man, who went to ask leave of the consul to take possession. He was refused leave, and has not dared to do it till after the frigate was gone, when he ventured on board, but was soon dispossessed by some armed men, or rather prevented taking possession, under the orders of the consul.

Thus has a small privateer been fitted out against law, under the eyes of the custom-house officers and the government of the State; she has sent in prizes which have remained here three days without any step being taken,—our laws have been trampled on, and our executive officers, the marshal and the sheriff, been prevented by force from doing their duty, by the orders of a French consul and the captain of this same privateer. The privateer is again equipping, and when ready will proceed on a new cruise.

The spirits of the people in town are inflamed. In other seaports they blaze, and in the country they begin to wax warm. It would be easy to destroy the privateer, prizes, and crew, but the laws ought to have their course, and no disorders should be committed by the people. But the operation of the laws must be slow and interrupted, when those whose official duty it is to execute, do themselves obstruct them.

There certainly is not a hundred men in this town who are even indifferent on this subject; but a full half of them, and the most zealous against government, are men in public office, either under the Union or the State government. Strange as it may seem, the most violent *Anti's* that we have, are men who eat the bread of the public; and this is the effect in most cases of that accommodating principle of bribing off opposition by offices.

I have taken the liberty of giving this short view of what has passed, that you may see how far you may rely on the energy of men in office to execute the laws, from a sense of duty and upon general principles. Those of the Union, some of them

will go no farther than the clear letter of instructions will oblige them. They like their offices too well to hazard them by disobeying positive and clear orders; but these they will execute with a slow and heavy movement. And where there is a doubt they will certainly obstruct. Nor will our State officers, who reside here, give you more aid; they are in the vortex of the governor's influence, and to this they owe their offices. If any thing is to be done by the officers here of either set, there must be the full force of clear and positive directions, and there being no laws positive, the path of duty is obscure, they must wait explanation. But if directions are given, then by dictating you offend the sovereignty of the State. They are a . . . . . crew, and they will impede all they can.

I think you ought to know your ground to stand firm, and I have given you not a heightened view of it. My motive is friendly both as to you and the public, and I am with truth and respect,

Yours, &c.,

STEPHEN HIGGINSON.

Mr. Gore has behaved well, certainly. I shall be kept out of sight I know by you, as I wish, unless some good will come of appearing openly.

SEDGEWICK TO HAMILTON.

STOCKBRIDGE, 26th August, 1793.

MY DEAR SIR:

The inclosed will give you some pleasure, as an indication of public opinion. It was delivered to a very large assembly comprehending almost every man of influence in the county, nineteen-twentieths of whom approved the sentiments expressed in the apostrophe to Louis.

We are confidently told, that Congress will assemble before the constitutional period. I hope not, because it would evince the influence of the infamously seditious publications which have abounded in your papers. If indeed the question whether this country was under obligation to observe a neutrality in the present war was a doubtful one, and the executive wished information from Congressional investigation, the President's proclamation should not have preceded that event. I have another motive which induces me to wish this measure may not be adopted, however reluctant I was, not to be elected a member of the present house, and some part of that reluctance you was at the time acquainted with. I should now much regret its not being in my power to attend; and at present it would be altogether impossible. Mrs. Sedgewick, I have reason to hope, is now recovering from a most deplorable state of illness. Should my hopes be gratified, I will not desert my post.

AMES TO HAMILTON.

BOSTON, August 31st, 1798.

MY DEAR SIR:

I am happy to see the good effect of the exertions which have been made to keep our country from meddling with the war. Our fears have in a degree subsided. They have been strong enough to give their full impression to the services of the officers of government. The public mind seems to be open to receive the truth. Such periods occur rarely, and ought not to pass away in vain. There are many topics which ought to be touched. I have supposed one among many good ones, to be the attempt to point out the *inconsistency* of our Jacobins. The execution is defective in two particulars, at least. The catalogue wants addi-

tions as well as a better arrangement—and the very words used by them at different times, might be quoted from the Gazettes with some effect. Something might be added or altered in the inclosed, if a proper person would do it. There will be no objection made to any alterations.

The press is busy here, rather overdone. The *enragés* are remarkably in check.

I look forward to the next campaign with concern. I wish nothing may be omitted to make the people understand the truth, so well as to disarm the faction who distort it.

My principal object in writing at this time is, to mention to you the subject of a State being sued. It was seized on here as you must have seen. The people understand the matter imperfectly, and on the whole, I conceive the entire active force of the State politics to be hostile to the decision. It is supposed the legislature will vote their censure of the suableness of a State, and request Congress to propose an amendment—or instruct their senators and request their representatives to move such an amendment. Is this regular? The Constitution authorizes two modes of amending. Either Congress may propose alterations to the State, or a convention may be called. If specific amendments should be moved by the States to Congress, is there not a great mischief lurking in the precedent? However, I waive the ceremony of any reply from you, which, busy as you are, is needless. I wish to call your reflections to the subject, which I think will be stirred. We cannot doubt it will be so managed as if possible to make difficulty.

I hope your unremitted cares do not impair your health.

I am, my dear Sir, yours truly,

FISHER AMES.

HAMILTON TO MRS. GENERAL GREENE.

PHILADELPHIA, September 3d, 1793.

It is not an uncommon thing for you women, to bring us poor men into scrapes. It seems you have brought me into one. You will wonder how. Hear the tale.

Shortly after I came into office, Wadsworth informed me that Baron Glaubeck was indebted to General Greene (to whom he had behaved in a very exceptionable manner), and that it was intended to endeavor to purchase of Glaubeck some pay which had been just granted to him by Congress, upon the plan of advancing to him a certain sum of money to satisfy his immediate necessities, and the residue that was due to him to be applied towards the indemnification of the General's estate for what Glaubeck owed to it. I afterwards understood that the execution of this plan was committed to Flint or Duer, or one or both of them—and that a purchase of the claim was in fact made—not indeed of Glaubeck, but of some person to whom he had parted with it for some trifling consideration—the object being throughout to benefit you by way of indemnification as above mentioned.

It likewise would appear from the Treasury records, that you have in fact received the whole benefit of the purchase. The conversations we had together when you were last in Philadelphia, assure me at least that the certificate for four-fifths of his claim accrued immediately to your use.

Francis, late a clerk in my department (partly from resentment at a disappointment he has met with at the Treasury and partly, I believe, from its having been made *worth his while* by some political enemies of mine), endeavors to have it believed that this transaction was a speculation in which I was engaged, and in proof it—a draft of a power of attorney, corrected by some interlineations in my handwriting, as he asserts.

I do not recollect this part of the business, though I think it very possible that such a correction, in such a draft, may have been made by me.

For Duer and Flint, it seems, employed Francis to make the purchase; and it is not unlikely that a draft of a power for the purpose may have been brought to me, to know from me whether it would answer the purpose of the Treasury as a competent instrument; and that I (believing the design to be such as I have represented, one not only unexceptionable but laudable—one in which my friendship for you would naturally take part) may have taken up my pen and made such corrections as the draft might appear to stand in need of.

I give you this detail to show you how I may have been implicated.

What I wish of you is, that you will have the goodness to state in writing what you know of the affair; ascertaining that the purchase was for your benefit, and the cause of it; and that you will take the trouble to make affidavit to the statement, and forward it to me.

As it is an affair of delicacy, I will thank you to request some gentleman of the law to give form and precision to your narrative.

You perceive that it is not in one way only that I am the object of unprincipled persecution; but I console myself with the lines of the poet—

> He needs must be of optics keen,
> Who sees what is not to be seen.

And with this belief, that in spite of calumny, the friends I love and esteem, will continue to love and esteem me.

Yours, sincerely. A. H.

HAMILTON TO WADSWORTH.

PHILADELPHIA, Sept. 3, 1793.

MY DEAR WADSWORTH:

Shortly after I came into office I remember your having told me that Glaubeck (whom you represented as a worthless and un-

grateful fellow) was indebted to General Greene's estate, I think, for money lent him, and that it was your intention to endeavor to effect a purchase of his public claim, and allow him some part of it for his immediate necessities, letting the residue be an indemnification [*original illegible*] estate; or, in other words, go to the [*original illegible*] that he would [*original illegible*] something [*original illegible*] you left the city; that you had left the business in charge with Flint.

The purchase of the claim was afterwards made through a second hand, and it appears in *fact* that Mrs. Greene has had the benefit of it.

Francis, lately a clerk in my department, prompted partly by resentment, and partly, I believe, by some political enemies, gives out that I assisted in this affair as a *speculation*, and to prove it, shows the draft of a power for assigning the claim, with some corrections, which are said to be in my handwriting.

Whether this be so or not I really do not now recollect, but I think it very possible that having understood the matter in the light I have stated from you, and viewing the transaction [*original illegible*] precision the course of the transaction as it stands in your recollection, particularly what passed between you and myself in the first instance. If not inconvenient to you, I should even be glad that you would attest to it.

Yours affectionately,

A. HAMILTON.

AFFLECK TO HAMILTON.

NEW-YORK, 7th Sept., 1793.

SIR:

A Mr. G. Francis, lately from your office, waited on Thomas Basen, and asked him if he recollected any thing of a certificate he had bought of him about two years ago. Basen answered he did. Francis told Basen he was employed by you to purchase, and that he had of you fifty dollars for his trouble; and that you

then said the profits was to be applied to the benefit of the widow of Greene, but that you applied them to your own emolument. Two or three days after this interview, Basen was waited on by a lawyer from Philadelphia, who put to Basen nearly the same questions as Francis had done, adding, "that Basen would recollect himself, for that he would be called upon that session." On Tuesday last, a printed pamphlet, containing twenty-three pages octavo, was handed to Basen by Francis, desiring him to peruse it till next day, when Francis returned and presented a paper to Basen to sign, but Basen declined signing it, for the fact is, he can neither read nor write. The pamphlet was given to me to peruse by a neighbor, but being sent in a few minutes I had not leisure to examine it. I have tried to get it since, but cannot.

I have mentioned the affair to Mr. E. Benson, and I doubt not but he has notified you by this time.

My sole motive in troubling you with this communication, is to put you on your guard—that you may be able to thwart the efforts of *malice*, *envy*, and *treachery*, which generally, and particularly in this case, are combined against uncommon abilities and worth.

With great respect, I am, Sir,
Your humble servant,
W. AFFLECK.

P. S.—If my services can be of any use in the business, you may command them.

WADSWORTH TO HAMILTON.

HARTFORD, September 13th, 1793.

DEAR SIR:

I was out of town when your letter reached this place, and have this moment returned. Glaubeck, when under the command of General Greene, persuaded the General to endorse his bills, which came back protested, and when Glaubeck made ap-

plication to Congress for compensation, I opposed his claim, and considered him what General Greene called him in his letters to Congress, then on file (an impostor). When he had obtained a grant he promised to apply some of it to the discharge of General Greene's demand, but he avoided me. I went to your office, and finding he had actually taken out his certificates, and not finding him at his lodgings, I returned to the office, and Mr. Nourse showed me the books, and that some foreign officer's debts had been transferred. I went directly to you and asked your aid, as I was satisfied Glaubeck intended to sell his certificate and fly the country. Accordingly, to the best of my recollection, you drew me a power, but Glaubeck got information that I was after him, and kept concealed.

Being obliged to leave New-York I employed Mr. Flint, who told me he could find him; but he sold the certificate, I think to Francis, who Mr. Flint purchased it of, and Mrs. Greene actually had it. I have no doubt Mr. Flint can give full information. How Francis came by the power I know not, but believe he was directed to copy it. When I accounted with Mr. Flint for the purchase I charged the money to Mrs. Greene; as it had cost so much, I did not think it an object for the estate. She has since repaid me.

I am, dear Sir,
Your humble servant,
JER'H. WADSWORTH.

MORRIS TO HAMILTON.

PARIS, October 17th, 1793.

MY DEAR SIR:

Mr. Livingston delivered to me yours of the 25th of July. He says that you alone gave him an idea of this country like the reality. His astonishment proves that he did not believe you, and, could you hear him, you might, in your turn, be astonished

to find that your sound understanding, while it grasped the future event, had never contemplated the progressive circumstances. I leave to others the painful task of drawing pictures, which, to resemble the truth, must, like an Indian warrior, be painted red and black.

It is in your character of financier, that I transmit the annexed report, which suspended for a few doubtful days the weight which, with crushing force, falls on the moneyed men. Early in 1789, I ventured to declare, from what I then observed, that the laws of property being violated, all would, in their turns, be sacrificed on the same altar. Already the church, the magistrature, the nobility, have passed away. Bankers, merchants, and manufacturers, are now in the crucible. I leave to your algebraic science to resolve the problem of how long a supposed society can exist, after property shall have been done away. Perhaps you may be too busy to form equations, and may reply as a statesman, that government being instituted to protect property, is respected only in proportion to the fulfilment of that duty, and durable only as it is respectable. I respect you too much to contradict your opinions, and therefore confine myself to the more agreeable task of assuring you, that

I am, &c.,

GOUVERNEUR MORRIS.

HAMILTON TO COL. OLNEY.

PHILADELPHIA, Nov. 26, 1793.

DEAR SIR:

Some embarrassment has arisen on the subject of a fit person for District Attorney of Rhode Island. Mr. Howel has been strongly recommended on the one hand, and positively objected to on another; and Mr. ——— has been proposed in opposition. Your opinion does not appear on either side.

The President is desirous of further information, and I have undertaken to procure it for him. In addressing myself to you

on the point, I proceed on an assurance of your judgment and candor. I request your ideas of the candidates fully and freely, promising that it shall not in any shape compromit you. Be so good as to state not only the qualifications of each, *but the collateral circumstances affecting the public service*, which will be likely to attend the appointment of either.

It is regretted that the affair has assumed too much a party complexion. This suggests an inquiry whether there be not some third character competent, eligible, and who would not be liable to a similar difficulty. The more speedy your answer, the more it will oblige.

KING TO HAMILTON.

NEW-YORK, 26 Nov., 1793.

DEAR SIR:

About a fortnight since I wrote to you, intimating the probability that Mr. Jay and I should call upon you and General Knox, on the subject of Mr. Genet's declaration that he would appeal from the President to the people. A letter of this date from Mr. Jay and me, will inform you and the General of the present posture of this business. You will perceive that the statement that we have concluded to publish is an exact transcript of your letter to me of the 13th of August, omitting such circumstances as you desired should not be communicated, and containing only such as you permitted to be freely used.

Although this statement goes beyond the fact of Genet's declaration that he would appeal to the people, yet the history of the transaction, in the course of which the declaration was made, shows that the interview between Genet and Dallas respected a public concern, and that Dallas' authority was derived from the President. We have, therefore, thought it requisite to announce to the public that we should shortly lay before them a particular statement of the evidence and circumstances of the transactions.

SCHUYLER TO HAMILTON.

ALBANY, Jan. 5th, 1794.

MY DEAR SIR:

We are alarmed at the state of my dear Eliza's health; nor are we without apprehensions on your account, from what you say in your letter of the 26th ult. I fear much from the incessant application which you are under the necessity to give to the business of your department, increased as it of consequence must be, whilst Congress is in session. I have hitherto been much averse to the determination you mentioned to me, but when I reflect on the danger which your health is exposed to, on the incompetent reward for the most arduous and important services, and the chagrin you experience from the weakness or wickedness of those you have to contend with, I am reconciled to your intentions.

I hope the real friends to liberty and good order will not suffer themselves to be entrapped by the wily arts of those who wish for confusion, that they may fish in troubled waters; and yet I have much apprehension, as the honest and well-meaning are seldom—very seldom—sufficiently on their guard.

As the balance against this State would not have been so extensive, if the Executive and his incompetent auditor had severally done what was incumbent on them, as their neglect has already been hinted to the public, I believe that side of the question will not promote much stir on the occasion, and I do not conceive that it will be difficult to prevent the other from doing it.

I am advised that a credit in my favor is lodged in the Branch Bank of New-York, for the purpose of purchasing goods for the six nations of Indians. If you have written to me on the subject, the letter has miscarried, or is still on its way to me.

Adieu, my dear sir. We all join in the wishes which affection dictates.

Yours ever, &c.,

PH. SCHUYLER.

ONEIDA INDIANS TO HAMILTON.

ONEIDA, January 15th, 1794.

BROTHER, ATTEND TO OUR WORDS:

We write to you in particular, because some of us know you. We have all heard that you are a friend to every body—Indians as well as white people. We rejoice to hear it. We always want friends among our brothers, the white people. But should the troubles which afflict the nations over the great waters reach this country, we shall again more particularly stand in need of the friendship of our brethren, the people of the United States. Nobody can tell what may happen. We think it would be good, and we wish you, brother, to recommend it to Congress, to advise the Senecas and Onondagas at Buffalo Creek to send some of their children to be educated at a school which is erected in our neighborhood, where we have sent some of our children to learn to read and write, and that provision be made for their support. We think that such a measure would serve to strengthen and brighten the chain of friendship with those nations. Brother, we salute you. This is all we have to say.

His
JOHN × SKANONDO.
mark.

His
PETER × ONEYOMKA.
mark.

His
JOHN × ONONDIGO.
mark.

His
PETER × SADE KARINGHLIN.
mark.

His
LODWICK × KAGHSAWETA.
mark.

His
CORNELIUS × KAHIKTOTON.
mark.

His
THOMAS × SHONONGHSIS.
mark.

His
DANIEL × SKANONDO.
mark.

MOYLAN TO HAMILTON.

LOAN OFFICE, PENNSYLVANIA, Jan'y 29th, 1794.

DEAR SIR:

With regret I mention it, that perhaps the letter you will receive with this will be the last official one I shall have occasion to write to you. I cannot let it go without paying the just tribute due to you for the ease which the systematic arrangements made for this office has rendered the execution of its duties to me.

Accept, sir, the wish of a sincere friend, which is, that your happiness in private life may, if possible, exceed your public virtues. Believe me, with every sentiment of gratitude and esteem,

Dear Sir,

Your obedient and very humble servant,

STEPHEN MOYLAN.

DAVID ROSS TO HAMILTON.

BLADENSBURGH, March 21st, 1794.

DEAR SIR:

Colonel M——— passed through this place yesterday, in the stage, on his way, as he says, to Congress; yet he may, perhaps, be going no further than Baltimore; but, if he should go on, it is probable he will be satisfied to have the appearance of closing the correspondence with you, as I find he never sent forward to the office your last, and has now withdrawn the whole of the papers. If, however, I should be mistaken, and he should answer your last, I need not again express my sentiments as to your putting yourself on a footing with him. If any thing should take place, I hope to be informed by you, as no dependence can be put on the representation of it by Colonel M———.

I was sorry I missed you, several times before I left the city, on the subject of Britain's then unexpected conduct towards this country, which is now believed; and Sedgwick's motions in Congress are supposed to be brought forward in consequence of such belief. Those I have yet seen in your city and this State, who were the most inclined for peace, and opposed to Madison's resolutions, are for very spirited measures, if a war cannot be avoided; but they have a confidence, also, that no precipitate conduct will involve us, but that we shall rather give Britain an opportunity (after showing ourselves prepared even for offensive operations) of altering her measures in time to avoid a war. At any rate, the idea is, that if any declaration takes place, it should be first on the part of Britain; and that we should not do as the French did—attach the people of England to the measures of their administration, by a hasty declaration of war, instead of continuing only acts of retaliation.

A judgment can be formed of the principles on which Madison's resolutions have been brought forward and supported, by the part their advocates take on Sedgwick's resolutions.

Yours, in haste,

DAVID ROSS.

WASHINGTON TO HAMILTON.

(PRIVATE.)

May 6th, 1794.

In answering your note of yesterday respecting the request of Mr. Talleyrand de Perigord, I do not hesitate to declare, that I find it difficult to hit upon a line of conduct towards characters —under the description that gentleman is—emigrants—that is satisfactory to my own mind, or, more properly, that is free from exception, by avoiding what may seem incivility on one hand, or unpleasant political consequences on the other.

I can perceive very clearly, that the consequence of receiving

these characters into the public rooms, will be driving the French minister from them. His visits are much less frequent than they were, and an occurrence on Tuesday last (which shall be mentioned when you call here) has left no doubt as to the cause.

A particular introduction of these characters (out of the usual course) would, I presume, be more noticed than the reception of them in public. It has become expedient, therefore, in my opinion, that principles should be adopted in these cases (not only for the conduct of the President, but the executive officers also) by which evils may be avoided, and uniformity observed. What these had best be deserves consideration.

My wish is, and it is not less my duty, as an officer of the Republic, to avoid offence to powers with whom we are in friendship, by conduct towards their proscribed citizens which would be disagreeable to them; whilst, at the same time, these emigrants, if people of good character, ought to understand that they will be protected in their persons and property, and will be entitled to all the benefits of our laws,—for the rest, they must depend upon their own behavior, and the civilities of citizens at large, who are less restrained by political considerations than the officers of government must be.

Yours always.

WILLIAMSON TO HAMILTON.

EDONTON, May 27th, 1794.

DEAR SIR:

In travelling through the country, I have lately observed a considerable uniformity of sentiment among the people, with a great want of consistence, of which they do not themselves appear to be conscious. There are frequent complaints of the want of vigorous measures in the Executive, to resent the insults of the British nation. This they receive from a certain class of politicians and political writers. There is also an observation almost

universal among the planters, that fifteen or twenty years longer peace would make us so rich and powerful, that we should despise the attempts of any nation on earth. This opinion is their own, and they seem not to suspect, until the system is explained, that the advocates for vigorous measures are, in effect, courting a general war, in the hope of destroying public credit and overturning a government to which they have been uniform enemies. I verily believe that this war-making project, when well understood, will produce a considerable apostasy from anti-federalism.

By this day's post, I have, at the request of gentlemen concerned, forwarded certain papers to Mr. Randolph. Probably well-authenticated claims to reparation will be sent after Mr. Jay, in support of his complaints. The case of Mr. Armistead, that I have forwarded, seems to have been a clear robbery, unpalliated by excuse. Our people are, in general, fair traders.

I am, dear Sir, with the utmost respect,

Your most obedient servant,

HU. WILLIAMSON.

HIGGINSON TO HAMILTON.

BOSTON, June 17th, 1794.

DEAR SIR:

Mr. Cabot has mentioned to me that Mr. Cox was inquiring relative to our trade to Sweden, and intimated that government wanted to get from thence a parcel of copper and iron. I have two vessels now going to Gottenberg, and will import any articles that may be wanted at the same advance or benefit as I shall get upon common iron, if the articles can be got ready in time to come in them. Should the articles wanted not be prepared in time for these vessels, they may be prepared to come by some later ones.

We have, this day, letters from Jamaica informing us that the packet with the orders of January 8th arrived there May

8th, in consequence of which all our vessels were liberated. Two of the masters, whose vessels were released, write thus to their owners, and letters from a good house there give the same information.

I congratulate you upon the report relative to your department. Master Giles, I think, must feel very much mortified; and his constituents cannot be gratified at seeing him placed so far in the background.

I rejoice also to find that Congress are up, and that their session has closed so much better than there was reason to apprehend at some periods.

With sentiments of respect, I am, Sir,

Your very humble servant,

STEPHEN HIGGINSON.

HETH TO HAMILTON.

SHILLELAH, 6th July, 1794.

Accept, I pray you, my dear friend, of my sincerest congratulations, on your second and complete triumph over the invidious persecutions of a base faction. The Report of the Committee of Congress, has turned out precisely as your friends here had predicted. "The more you *probe*, examine, and investigate Hamilton's conduct, rely upon it, the *greater* he will appear." But it was a cruel thing in Congress, and somewhat unprecedented, I presume, to oblige your *persecutors* and *prosecutors* to sit as your *judges*, and what was more ill-natured—to compel them to make a *report*, by which they were obliged ***** mortification surely—to *convict* you of purity of conduct, unshaken integrity, and a competent watchfulness over the public interest. This was **** hard upon them, to be sure. And how one of them, who had *pledged himself* to convict you of nothing less than

"high crimes and misdemeanors," can get the better of his chagrin, or meet some of his credulous and deluded constituents, without shame and confusion, I am at a loss to account. Nothing, surely, can carry him through, but that consummate vanity and ambition, which first tempted him to make so unprovoked and so unwarrantable an attack. He has been completely mortified, at a public meeting, in his own district, since his return. Instead of entertaining all companies, as heretofore, with declamations on the abuses in the Treasury Department, not a single syllable was uttered about *Hamilton* or his *conduct*—he was "*as mute as a fish.*" No notice was taken of any of the toasts which *he* gave; while those given by Carrington were huzzaed and applauded. The report will be published in our papers; when the people at large will find that they have been shamefully imposed upon—for, when *rightly* informed, they will determine *right.* They will immediately discover that it was *impossible* for that man's hands even to be *soiled* with public money, whom they had been taught to believe had appropriated thousands to the use of himself and his friends. They will find that an able and faithful servant hath been vilely slandered, and most cruelly calumniated. Seeing these things, they will naturally draw their own conclusions. The result, very probably, may not turn out much to the advantage of the leader of the forlorn hope.

I am sorry, my dear sir, as a citizen of the United States, and a friend to our government, to understand that you are preparing to retire. Your loss will be felt. But, as a private friend, I cannot but be pleased at your endeavoring to find that contentment and happiness in private pursuits, which no public employment can possibly afford. And your constitution must have received a shock, which will require time, much tranquillity of mind, and cheerful company to restore.

CARRINGTON TO HAMILTON.

RICHMOND, July 9th, 1794.

MY DEAR SIR:

I do not write this letter as congratulatory upon the final issue of the Inquiry into the Treasury Department, as I never conceived you exposed to receive injury therefrom. I write to express my most sincere wishes that you will not suffer the illiberality with which you have been treated, to deprive the public of your services, at least until the storm which hangs over us, and is to be dreaded, not less from our own follies and vices than the malignance and intrigues of foreigners, blows over. It is true you have been abused, but this has been, and still is, the fate of him who was supposed out of the reach of all slander. It is indeed the lot, in some degree, of every man amongst us who has the sense or fortitude to speak and act rationally, and such men must continue so to speak and act, if we are saved from anarchy.

If there have been a number of copies of the Report of the Committee printed, I wish you to send me as many as you can, that they may be dispersed in this State. I can assure you that your enemies are much less loquacious on the subject than they once were; and there having been pretty confident assurances made, that the issue of the inquiry would consign the Secretary of the Treasury to infamy, expectations have been so fixed on that object, that the disappointment is by no means unnoticed. The manner in which the renewal of the business came forward, and the very long and deliberate course which it was suffered to take, in the hands of the accusers themselves, give the issue its best effect. Should John Jay be successful in his mission, our good democrats, I fear, will lose too much of their influence to be useful guardians against the strides of aristocracy. His appointment is now the theme for declamation. These watchmen may perhaps experience the same neglect from the great body of the people, as is instanced in the fable of the Shepherd's Boy and the Wolves. Indeed, I am fully persuaded, that the appa-

rent attention they now receive, is by no means a real one; they speak loud in many places, and no one speaks against them; hence they claim a general concurrence of the people with them. But I have never yet seen an experiment tried of a counteraction, but it has produced good effects.

Let me have some copies of the Report if you can, and believe me to be, with great sincerity and truth,

Your friend and servant,

EDWARD CARRINGTON.

HIGGINSON TO HAMILTON.

BOSTON, July 10th, 1794.

DEAR SIR:

I received your letter of June 24th, and have noted your observations relative to copper and iron for the frigates. I believe the decision to resort to England for the copper, is right. It is very doubtful, with me, whether you will find copper in Sweden properly fitted for sheathing, and not certain that they can there prepare it equal to the English. Sheet copper was imported from Gottenburg, last war, for our privateers; but it was so thick and badly drawn that it was not used; and it was then said, that in Sweden they had no works capable of doing it nearly equal to the British. But iron may certainly be got from Sweden and Russia, of the best quality, and on the lowest terms.

We have here had much experience, by trial, of the qualities of the duck manufactured, in this town; so, also, must they have had in Philadelphia, for large parcels have been there sold and used. Our experience certainly does not support the suggestions you mention; it is esteemed here less subject to mildew and shrinking than any other. I have, indeed, never heard of

its having mildewed in one instance. The varnish or sizing here used, being animal instead of vegetable, made from cow-heels, may guard it against both those defects. It is a novel improvement, originating with this manufactory, and intended to prevent both mildew and shrinking. The former, it certainly has well effected, and the latter, as far as practicable, perhaps.

How does it appear, that duck made of flax is more liable to mildew and shrink than that made of hemp? The Russia duck is said to be made wholly of hemp, and that we know will both shrink and mildew. The duck made in England is made wholly of flax; so, also, is the Irish and Dutch, I believe; and all these will both shrink and mildew. Hemp, when tarred and made into cordage, will shrink so much, that vessels' shrouds, in long rains or fogs, will break by mere force of contraction, when sufficiently slack before to be safe. The superintendent of this manufactory is an Englishman, bred up under his father, who had the care of one of the king's factories in England; he seems to be a complete master of the executive part of the business, and to have a thorough knowledge of the flax and other materials, as to quality and preparing them; but he is full of prejudice, as those people generally are. He says, that the fibre of hemp is too hard and wire-like to make good warp for duck; it will cut the filling, and the cloth will crack away. This may be true, when not properly prepared and softened; but that quality may be done away by curing and dressing; and this is exemplified in a new factory, where hemp only is used. But it may be true that the hemp-fibre, with every art, cannot be reduced so fine or made so even as that of flax; and this difference may be in favor of using flax for duck, rather than hemp. All other things being equal, the fine fibre will make the cloth more firm and even, and of course will wear better.

I have clothed a number of vessels with our duck, and it has certainly worn better than either Russia or English of common qualities. The experience of others who have used it, has here established its reputation fully; and our sailmakers all say that

it wears longer than those others, and never has proved liable to mildew like them. Having often made sails of this, and of Russia or English at the same time, for the same vessels, where they have had equal wear, the opinion of the sailmakers, after viewing them when they were returned to them for repair or examination, ought to have much weight; it is perhaps the best evidence we can have in the case.

Upon the whole, I believe that better duck can be got from this factory than any that can be found in our market imported from Europe; perhaps as good as we could obtain by a special order, and a particular desire to have the best imported. If an order be given in time for them to select the best flax—to have it spun and wove purposely for the frigates—I have no doubt they will be well clothed; and I am persuaded they will take due pains, because the superintendent and proprietors are desirous to supply the duck. I ought perhaps to say that I have no interest in the factory, was this opinion to be given to the public.

The rupture between Portugal and Algiers is renewed,—an event very favorable to our commerce, and tending to quiet turbulent spirits. Would it not be grateful to Portugal, and useful to our country, to form a convention with her relative to those robbers? If we say, that having a common interest with her in confining them within the straits, we will keep three or four ships to assist in doing it, as soon as they can be built and fitted, she may agree to make no truce with them without our consent, on giving a year's or six months' notice.

I wish Mr. Jay, with our ministers at Paris and London, were authorized to offer themselves as mediators, should the appearances in Europe clearly evidence a disposition to make peace, in the powers at war. The existing state of things may, and probably will, be such, as that all parties may earnestly wish for peace; but the causes, objects, and circumstances of this war are novel and extraordinary, and may prevent any overtures for want of mediation.

What power in Europe so likely to be used for this as

America? Russia the French will refuse, and neither France nor Britain will prefer Sweden or Denmark to us for the purpose. Mr. Jay may be intrusted with the commission, and the others not know it. He may readily learn the British pulse on this point; and he may collect the disposition of France by inquiring of our minister in Paris, without stating the object of the inquiry. With the other parties there will be no difficulty, if those two agree upon a mediator. At least we may have some chance of being joined with some other power in mediating, and this would be both honorary and useful to us.

The present is a critical and important period in European affairs; and I wish that we may be vigilant and prepared to make the most of events that may arise. This must apologize for my adding these ideas, which probably are not new to you, to a letter sufficiently long before. I must subjoin, however, that within a short time there may be a favorable period for making a commercial treaty with Britain, if it be eligible to have one.

Wishing you every thing desirable, I am, with much respect, your very humble servant,

STEPHEN HIGGINSON.

P. S. A vessel has just arrived from Brest in 46 days. The captain told me that a brig had arrived there from the Chesapeake fleet, and was sent back directly; that 44 sail of the line sailed next day, six days before he sailed; that four days after he sailed, he met the same fleet joined by others, making 52 sail, expecting hourly to see the Chesapeake fleet; that they had a great number of cruising ships beside, which intercepted every thing going in or out of the Channel; that 42 sail of ships bound to the W. I., with provisions, were taken from the British, and had arrived in Brest, beside other ships, making 160 sail while he was there about six weeks. He says that they had in Brest the account of the Duke of York's defeat, and of some victories over the Spaniards. This vessel, with other Americans, carried into Brest with flour, &c., had their cargoes taken by govern-

ment, but could not get pay for them. She came here in ballast, and the captain stayed behind to wait for payment. This is not good usage.

HIGGINSON TO HAMILTON.

July 12th, 1794.

Two days ago a schooner arrived here from Barbadoes with sugars to my address. She was one of those vessels that had been carried into that island, and condemned unjustly, no doubt, like many others—was bought by persons in Barbadoes, and chartered to bring sugars here, and to return with provisions, &c. She was known at once to have belonged to Mr. Brown, of Newbury, by people who saw her, and were in Barbadoes when she was condemned. This first instance of such a vessel's coming here excited much irritation; and a large number were all day yesterday hovering about her, clamoring and threatening to destroy her. The Jacobins seized the occasion, and made the most of it. A large mob was last night collected, when they drove the captain and people out of her; they cut her rigging, unhung her rudder, took down her topmasts and yards, and meant perhaps to go farther; but many having collected to restrain them, aided by a magistrate, they went no farther, and in fact have done no great injury. But it is evident to me, from circumstances and characters who appeared, that this was intended as an insult to the British, to serve as an engine to counteract the arrangements of the President, to defeat the mission of Mr. Jay, to furnish the British with new grounds to ward off our claims to indemnity for their depredations, to keep up the temper of our people, which had become moderate, to excite new resentment with the British, and widen the breach so as to keep Mr. Jay at a distance.

This conduct here is intended to serve as a precedent, or watchword to the Jacobins in other places, to show them how they are to conduct upon like occasions; and should there happen to arrive in different parts of the Union a number of such vessels, there may be created a strong appearance of disorder in the people, of weakness in the government, and of general hatred to the British. By such measures a small number may make a great noise; may occasion an appearance very much against the negotiations of Mr. Jay, alarming and provoking to the British, and tending to intimidate our own good citizens. I think I am not mistaken as to the source and object of this disorder, this outrage. It is nothing in itself, and would have no effect perhaps at home or abroad; but, when viewed as a precedent, to be followed in all such cases, it wears a serious aspect. The Jacobin system and arrangements are well adapted to their purposes. They make the most of every incident. They alarm, provoke, and intimidate by appearances much more formidable than the fact. With this clue you may perhaps judge better of events or measures that may occur. It requires the eyes of Argus to watch and to discover the movements and pursuits of that party; and, with all the attention and wisdom of the Executive, I fear they may yet embarrass, if not involve us.

Yours,

STEPHEN HIGGINSON.

CORBIN TO HAMILTON.

BUCKINGHAM, MIDDLESEX, VIRGINIA, July 20th, 1794.

DEAR SIR:

Calumny and misrepresentation are the only weapons made use of by the faction of Virginia. By a dexterous management of these, they have brought into popular disrepute, and even into popular odium, some of the wisest and best characters in the United States.

Men of more than common discernment have been seduced

by their artifices, and the voice of Truth has been silenced by the noise of Falsehood.

The temporary ascendency which the latter has acquired over the former, is owing to fear and ignorance. To a fear of incurring unpopularity by defending those who have been rendered unpopular, and to a want of sufficient information to undertake and support their defence. Fortified with facts, one bold advocate for truth might not despair, however, in the course of a single session of our legislature, of baffling the shallow pretences of calumny and the party.

If, by a zeal in the cause of virtue and talents, apportioned to the violence and virulence with which they are attacked, it could be brought within the compass of my feeble exertions to become their advocate, I would cheerfully undertake the task.

Until the phalanx, into which the faction is embodied, be broken, this unhappy State can never expect to see itself represented, as it might be, in Congress.

War is waged by this faction against every candidate who possesses the union of requisites. Independent fortune, independent principles, talents and integrity are denounced as badges of aristocracy; but if you add to these good manners and a decent appearance, his political death is decreed without the benefit of a hearing. In short, with a few exceptions, every thing that appertains to the character of a gentleman is *ostracised*. That yourself and Mr. Jay should be no favorites in Virginia, is not to be wondered at.

But all those whose good opinion is worth your acceptance, entertain for you both the same veneration and esteem, and hear the aspersions of your enemies with the same indignation as I do, who, after the closest examination and the purest conviction, can conscientiously subscribe myself, with every sentiment of sincerity and regard,

Dear Sir,

Your most faithful and obedient servant,

THOMAS CORBIN.

CARRINGTON TO HAMILTON.

RICHMOND, August 25th, 1794.

DEAR SIR:

You have, upon sundry occasions, done me the favor to request my opinion upon the public sentiment in Virginia. Conceiving that there can never have been an occurrence giving you greater anxiety than the present insurgency in the western parts of Pennsylvania, or upon which a knowledge of the public opinions and dispositions here could be more interesting, I anticipate your request, and proceed to give you that information in which I feel myself very confident. Virginia will do her duty. The requisition of the President, and as many more as the State find it necessary to make, will be complied with, with alacrity.

It is a case which goes home to the people themselves, and they will act according to their own principles. It is not one of those cases in which they remain silent while democratic societies, British debtors, and other factions presume to declare, in resolutions and toasts, opinions for them. The great body of the people of Virginia are independent planters and farmers, much attached to liberty, property and domestic happiness, and busy themselves but little about public concerns—unless they feel that these blessings are brought into danger. Hence it is, that factious men, for a time, succeed in giving a complexion to the conduct of the country very different from the real temper of the people; and this is a misfortune under which Virginia has been placed for several years. Virtuous men have been cried down under a ding of monarchy, aristocracy, British influence, and French republicanism—terms to which no rational significations have been applied, because they have seriously recollected that we had a country and government of our own, and, in Congress and elsewhere, voted to preserve and prosper them. These clamors have been set up and propagated with a degree of industry which none have with equal zeal opposed. Investigations for the truth have been beyond the reach of the multitude, which has, of course, gone with the clamor. But the people of

Virginia mean to be right when they can be in possession of the truth. The insurgency is a case in which the truth cannot be veiled. The great body of the country know that the government they have chosen for themselves is a republican one, to be directed by a majority, and when a minority openly resists the laws passed by a majority, and thus counteracts the most essential principle of republicanism, the truth stands too fully exposed to be perverted. Pretended republicans are compelled to support the government, or to exhibit themselves in their true character of anarchists. Taking the first turn they may not do us much good, but taking the latter, they lose the power of doing evil. These are my reflections on the subject, and the accounts received from the different parts of the State, assure me that the real state of the opinions and conduct of the country are in concord with them.

I hope and trust that a radical extirpation will be effected in this instance; a patched-up reconciliation will only leave the embers of sedition to be rekindled with greater violence at a future day. There must be a complete conquest and serious examples of the leaders in the business.

I am, with great regard,
Your friend and servant,
ED. CARRINGTON.

P. S. Should you be of opinion that a publication without names of this letter, or any part, will be of service, you have my consent thereto.

LEE TO HAMILTON.

NORFOLK, 2d Sept., '94.

DEAR HAMILTON:

I am extremely chagrined on finding from your private letter accompanying your public letter, that the intended secrecy is

entirely baffled as it respected the call on me to take care of the insurgents.

Being absent from Richmond on a visit to the forts at Norfolk, the public letter was opened by the Lieutenant-Governor, and there being no injunction of secrecy in it, the purport was divulged without ceremony, and before I received my letters the report reached me of my late appointment.

I do not believe any thing but good will result from this accident in this State, for I am persuaded it will accelerate the readiness of the troops, and I am confident General Morgan will prefer me to any other; nor can he consider his former relative claim slighted, inasmuch as he is in the habit of obeying me as Commander-in-Chief of the militia, in which character I shall act, if sad necessity so decrees. However, knowing his value, and anxious to prevent any disturbance of harmony, I wrote to him yesterday in terms suitable for the object I contemplated, and hope my letter will have its designed effect.

When I return to Richmond, which will be very soon, I will see Carrington.

I love him dearly, and should prefer him to any other in the character you suggest; but you ought to weigh well the objection you mention, for such is the temper of the people, and such the eventful crisis, that no measure, however wise, ought to be adopted which furnishes fuel for the discontented political declaimers in which the United States abound.

The honor you propose as possible, I receive with every respect due to your goodness and friendship, and I well know the extensive good I should derive from your wisdom, zeal, and sincerity; but really when you talk of acting in a station so inferior, you add to the awkwardness of my feelings, which I assure you are too much so already for that tranquillity of mind indispensable for the conducting of business great and difficult. • A good Adjutant-General pray secure, and save Mifflin's feelings.

God bless you,

H. Lee.

HAMILTON TO KING.

PHILADELPHIA, September 17th, 1794.

When you recollect, that I have two departments on my shoulders, and when I tell you that I have been out of health in the bargain, you will perhaps admit an excuse for my not answering sooner your letter some time since received.

Mr. Jay has given nothing conclusive. His letters to the 26th of June barely gave the idea that appearances were not unfavorable. The last letter, I forget the date, but it came by the last arrival at New-York, refers to letters which were not received, but which are supposed to have been confided to the Portuguese minister. This letter is couched in the same cautious terms, considers the scale as capable of turning either way, and advises not to relax in military preparation. The ministry, however, have certainly continued to countenance shipments to this country, and very large ones were making. It is a strange, mysterious business. The change in administration had made some pause in the negotiation.

Nothing from the Western country authorizes an expectation of a pacific termination of that business. All the militia are going forward as fast as they can be got forward. Virginia, all below the mountains, is *zealous;* beyond, neutral in conduct and divided in affection. Jersey is also zealous; so are the eastern shore of Maryland and the town of Baltimore. Thence to Fredericktown a pretty good temper prevails; beyond that a very insurgent spirit and some insurrection. In Philadelphia an excellent and productive zeal, embracing all parties, has been kindled. A good spirit will generally pervade the old counties. But there is much bad leaven in the new counties, this side of, as well as beyond the mountains—Cumberland, Franklin, Mifflin, and even Northumberland.

Governor Lee is at the head of the Virginia militia, and will command if the President does not go out; he is all zeal. Governor Howel, with equal zeal, was to march from Trenton to-day with the van of the Jersey militia, consisting of 500 horse. Miff-

lin, who at first showed some untoward symptoms, appears now to be exerting himself in earnest and with great effect, and goes at the head of his militia.

The President will be governed by circumstances. If the thing puts on an appearance of magnitude, he goes—if not, he stays. There is a *pro* and a *con* in the case. If *permitted*, I shall at any rate go.

Affectionately yours.

HAMILTON TO KING.

September 22d, 1794.

I thank you, my dear Sir, for your letter of the ——. A few days previously I wrote you pretty fully. I hope my letter got to hand.

The inclosed paper gives you the substance of our European intelligence under the Philadelphia head.

The returns from the Western counties of this State are just come to hand. They show a valuable division, ranging on the side of the laws the most influential men, and a respectable body of others—but leaving a great number still uncomplying and violent, so as to afford no appearance of submission to the laws without the application of force. It will give you pleasure to learn that there is every prospect of our being able to apply this effectually, and of the issue being favorable to the authority of the laws. It will occasion a large bill of costs, but what is that compared with the object? Adieu.

Affectionately yours, &c.

HAMILTON TO KING.

JONES' MILL, October 30th, 1794.

DEAR SIR:

Our light corps, the Jersey infantry, and a brigade of cavalry, are about eight and a half miles in front, beyond all the mountains. This division, which has been delayed by a somewhat worse route and the incumbrance of the public stores, will be at the same place this evening. The left wing is at a corresponding point. All is essentially well; no appearance of opposition. It is of great consequence that a law should, if possible, be expedited through Congress, for raising 500 infantry and 100 horse, to be stationed in the disaffected country. Without this, the expense incurred will be essentially fruitless.

A law regulating a peace process of outlawry is also urgent; for the best objects of punishment will fly, and they ought to be compelled by outlawry to abandon their property, homes, and the United States. This business must not be skinned over. The political putrefaction of Pennsylvania is greater than I had any idea of. Without rigor every where, our tranquillity is likely to be of very short duration, and the next storm will be infinitely worse than the present one.

Yours, with true esteem and regard, &c.

M'KENZIE TO HAMILTON.

MONTREAL, November 9th, 1794.

SIR:

Agreeable to your request, I will give you some few remarks on my last expedition.

Having had no particular directions from the company, of course no promise on my part of undertaking such a jaunt, I left the grand portage about the usual time for Arabasca, but

previously had obtained permission to remain the summer inland, with no other view than of employing that time in discovery. The cause of my not consulting the company was, the ill-usage I had received on my return from my former expedition.

Upon my arrival, as well as that of all the canoes at Arabasca, I left Mr. R. McKenzie in charge of the principal post, and went to winter, at the last of our settlements, in the Peace river, or Unjegah, lat. 56° 9′ north, long. 117° 43′ west, from Greenwich.

In the spring, after I sent off all the property from Arabasca, I, on the 9th May, 1793, took my departure in a north canoe, accompanied by A. McKay, six Canadians, and two young Indians, up the Peace river, against a very strong current. In our route, we were rather unfortunate in not meeting with inhabitants till we had nearly got to the mountains, and come near the source of the river, and then we saw but three men with their families. They were well-furnished with spears, daggers, bar-iron, &c. I prevailed with one of those men to come and guide us to the height of land, which he did; wishing to bring him further, he deserted from us.

The height of land is only seven hundred paces across—pass two small lakes and two small carrying-places; from these, we continued our route down a small river, much embarrassed with wood, rocks, &c.; we broke our canoe, lost all our balls; we at last got into a large river, and this, in half a day's time, led us into a more considerable body of water. It was not before the third day from hence we met with natives, who were not very amicable at our first appearance; however, peace being established, they gave us an account of the country, and informed us they got what European articles they had from the West, by land, and that they did not know where this river emptied into the sea. I got some of them to conduct me to the next tribe; here I was convinced that the distance by the river, which is very rapid, was great, and that I could not be able to perform it in the course of the season, had I been better provided than I was; therefore I returned up the river, according to the Indians'

directions, to take the route by which they procure their goods. Here I left my canoe, and the greatest part of what we had in her,—latitude, 53° north; longitude, 122° 43′ west—travelled fifteen days to get to the sea-coast. There being many islands, I borrowed a canoe from the natives, went about twenty leagues out amongst the islands, where I found the latitude to be 52° 23′, longitude, 128° 15′, the 22d July, 1793. I returned by the way I went, and was back at our settlement the 24th August.

I am, Sir, yours,

ALEXANDER MCKENZIE.

ST. CLAIR TO HAMILTON.

PITTSBURGH, November 14th, 1794.

SIR:

The post which has been established at Lebeuf, by the State of Pennsylvania, seems to be at present a place of some importance, and is in a critical situation. The time for which the garrison is engaged is on the point of expiring; but the Governor has power by a late law to continue them, and I suppose will continue them. The present commanding officer is a prudent man, and a good officer. He, however, as I am informed, will not remain, and the command will devolve upon a person of the name of Miller, from Washington county, who is strongly in the interest of the insurgents; and a part of the garrison, from that county also, have been exceedingly disorderly, and disposed to mutiny. Pardon me for taking the liberty to suggest, that it might be well if a party of the standing troops were sent there, for there is a considerable quantity of military stores of every kind, and some pieces of artillery, deposited in that place. The concurrence of Governor Mifflin will no doubt be necessary, and that, I suppose, would not be withheld.

With every sentiment of respect and regard, I have the honor to be, Sir, your very humble servant,

A. ST. CLAIR.

CARRINGTON TO HAMILTON.

RICHMOND, December 12th, 1794.

MY DEAR SIR:

I have been favored with yours of the 1st instant. All accounts from the scene of the late insurrection, agree that the measures which have been pursued have been as successful in their issue, as they were wise in their commencement. I have also the satisfaction of finding that our returned troops pretty generally agree that a less force than was called forth would have been opposed, and that a small army could have effected nothing but the establishment of a civil war. This operates as strong evidence against our good democrats, who had been loud against the Executive for interrupting the quiet of our citizens, and incurring an unjust expense. The propriety of a force being left in the country is also supported by the same authority, to the no small disconcertment of those immaculate guardians of our liberties, who were charging upon the President an avidity in seizing an opportunity for an advance to the establishment of a standing army. In truth, our militia have come home better citizens than they went out, inasmuch as they have seen this fallacious spirit of liberty, stripped of its hypocrisy, and exhibited in its own garb. I have no doubt that their returning amongst their neighbors, thus undeceived, will be productive of good consequences. Our Virginians were, before this excursion, much better citizens than certain circumstances had led those of other States to suppose them; and the ready obedience paid to the late call, must have in some degree counteracted the opinions entertained concerning them. You will recollect that after the insurgency broke out, and before the call was put to the test, I ventured to communicate to you a temper as belonging to our people, different from the contraband politics of our representatives. I predicted the alacrity with which the people would turn out to support their government and its laws, and endeavored to account for the real existence of such a contradiction in the conduct of the people when called on to act for themselves, and

when acting, or said to be acting, by their representatives. The event has verified the prediction, nor can I attempt to solve the enigma otherwise than I then did. We have vicious and virtuous men of abilities; the vicious are bold in their charges upon government and its administration; the virtuous are criminally backward. The people naturally give their suffrages to those who discover the greatest solicitude to obtain them, and who show the greatest confidence in their claims to be trusted. In truth, my dear Sir, I have fallen out with both; for he from whom an active injury is received, is little less a *friend* than he that stands by and quietly sees the injury done.

Your observations upon the deplorable increase of a disorganizing spirit, in the quarter from whence it has before been felt in Congress, are, I apprehend, too well founded; nor have you a consolation in the event of our late election here to fill the Senatorial seats. There is, indeed, something extremely unaccountable in all this—it would seem that the events of last summer and fall were calculated to have changed even the sentiments of former actors on the stage of our political farce; much more might a change of conduct have been expected from a conviction that their constituents had received impressions no longer to tolerate their opinions. Speak with the people of Virginia, in parties, or individually, and far the greater number appear to disapprove of the violent measures espoused by their representatives in both houses, last session; yet, all their elections, in whatever form made, turn on men most distinguished for their violence and enmity to the government and its administration. All this I feel and lament exceedingly. I, however, have a consolation, which I do not think a mistaken one, that the people of Virginia will always revolt against the wickedness or follies of their leaders whenever they are brought near enough to the precipice to see plainly their danger.

You do not feel more sensibly than I do the critical situation in which we stand; nor, are you more thoroughly convinced that the southern politics have a tendency, a limited one I hope, to a severment which cannot be taken into prospect by any man who feels the pride of a free American, but with chagrin and

humility; the transition would be nothing less than from the exalted station of the freest, happiest and wisest people the sun ever shone upon, to that of the most vile, the most wretched and the most foolish that ever stamped the human character. Being an united people, we dictate our own laws, and say to all the rest of the world what shall be their conduct towards us—divide us, and we instantly become little puppets to be played off upon each other, as shall be convenient to foreign nations, and even foreign individuals. It would seem that the success of Genet's projects should have stamped this lesson deeply on the mind of every American, who was not involved in his vices.

I most heartily re-echo your opinion, that good men should come forward and set their faces against the ills which await us, and trust it will ere long be the case in Virginia. Let our eastern brethren, whose good sense and solid republicanism I daily more and more admire, continue their zeal in supporting the true interests of the commonwealth. They will prevail—an enthusiastic folly cannot be of long duration.

On the subject of your resignation you appear to have taken your final determination. I wish your successor may be as successful in the effects of his measures, and that he may be as fortunate in repelling the attacks of faction. The papers have announced a precaution which I should certainly have taken the liberty to recommend to you. Your notification to the House of Representatives is a necessary caveat against future slander, for had you remained till the last day of the session, and then resigned without such a precaution, a retreat from inquiry would have been charged upon you.

I anticipate, with pleasure, your appearance in the character of a representative, and beg you to be assured you will retain in any station you may occupy, the public confidence and private friendship of,

My dear Sir,

Your affectionate fellow-citizen,

Ed. Carrington.

CARRINGTON TO HAMILTON.

RICHMOND, December 26th, 1794.

DEAR SIR:

I have been favored with yours of the 19th instant, covering your private letter of the same date to Governor Lee. I hear he has left Winchester, and will probably be here to-morrow or next day, and have thought it best to keep his letter until his arrival. The explanations contained in this letter to him, are such as I had anticipated, as you might have perceived from mine to you of the 11th.

Had there been no difficulties to encounter from a want of appropriated funds, it would have been impossible, upon an arrangement taken at camp on the 23d November, and was still to be communicated at Philadelphia, for you to have sent the money to the places designated, in time for the arrival of the several detachments; nor does it appear to me, that such an arrangement should have been made, without a previous knowledge of the readiness of government to meet it, as it was well known that the service was an unforeseen one, for which the existing revenues had not been assigned; nor yet am I of opinion that dissatisfaction would have been the consequence of an explained communication to the troops—that balances of pay must remain unpaid for some short time after their return home. As reasonable and patriotic citizens, they ought not to have been dissatisfied, because such treatment would have been consistent with every practicable application of unascertained sums at a distance from the treasury, even had appropriated funds been there: much more should it be considered such in a case which, being unforeseen, had not been provided for by the legislature. Indeed, I think it extremely impolitic, to impress upon the minds of the people ideas, that the degree of punctuality which has, in this instance, been attempted, is the only ground on which government can expect their services when necessary for its support. Good men may be treated like petulant children, and by that means made equally unreasonable and perverse. On the other

hand, both good and bad men may, by firm and plain lessons of reason, be taught to accommodate their demands upon government to the due course of an honest administration. It has been said that this degree of punctuality is necessary, from the impossibility of getting the balances into the hands of the dispersed individuals, and that speculators would, for trifles, purchase up the claims. It, however, appears to me, that every evil suggested could easily have been provided against; and, if the troops have been duly mustered, they very probably are provided against. Every soldier who remained to the last of his service, under the head of his original officer, whether discharged at the end of the service or intermediately, is locally known; if, by any means, he has appeared under the head of another officer, his locality was, or should have been noted in the subsequent musters, particularly on the final one. Under these precautions, the balances of pay might be sent to the respective brigadiers in the country, who should be relied on to provide for the payment thereof to the individuals entitled, by persons whom they might appoint, and be responsible for; the actual receipts of the individuals to be rendered in the settlement of the accounts, and the genuineness of the receipts to be proven by the oaths of the payers of the moneys. An arrangement of this kind discards every idea of assignees receiving payments, and presents a certain and sufficiently rapid course for the passage of unpaid balances to the identical persons entitled thereto. Moderate commissions might be allowed to the brigadiers and their agents on these special occasions, which would be amply compensated by the relief government would receive under convenient postponements of such demands—and the satisfaction to the claimants when payments are necessarily deferred. It appears to me that the brigadiers of militia may be made very happy instruments in both the commencement and ending of every tour of militia duty, and it would be well to introduce practices of making them such. The brigade districts embrace, each, an extent of space and numbers, convenient for individual communications—and the brigadiers are naturally presented as convenient and safe agents, both for the public and the respective individuals concerned. In all the arrangements

which have been intrusted to me in relation to the late expedition, I have endeavored to call into practice the services of the brigadiers, where they could possibly be embraced, and they have been found to contribute greatly to facilitate the service, and to accommodate individuals.

Your observations upon the expensive and unwieldy arrangements of some of our lines, arising from an over-proportion of officers, and a multiplied staff, *I trust and believe*, has not reference to the Virginia line. I think the staff was put on as moderate a scale as was practicable, and early measures were taken to consolidate the thin corps, and dismiss the supernumerary officers. General Morgan, as well as Darke and Matthews, under whom the Virginia line was formed, were good enough to act very confidentially with me, and inclosed you will receive copies of communications between me and General Morgan, leading to early reductions of officers and wagons, two of the most devouring sources of expense and the most productive of impediment, that can possibly hang upon an army. I have every reason to hope from the sum furnished to Col. Bird, who has supplied transportation, forage, fuel, and straw to the Virginia line throughout the expedition, including forage, fuel, and straw to that of Maryland, from and back to Fort Cumberland, that the moderation of our staff arrangement will be apparent. I have the satisfaction to hear from all concerned, that his supplies have been timely and ample.

Whether the inspections and musters of the troops have been well attended to in the Virginia line, will appear by a view of the returns. The inclosed letter from me to Major Pryor, of the 12th of October, will show you that the various objects of his appointment were fully preseuted to him, and from my knowledge of his capacity and usual diligence, I am in hopes the purposes of his appointment have been well effected.

I have not felt that the observations and information which I now communicate were necessary to remove from your mind impressions to the disadvantage of the arrangements of the Virginia line, but it will not be unsatisfactory to you to receive them.

I am, with the greatest regard and esteem, dear Sir,

Your most obedient servant,

ED. CARRINGTON.

LEE TO HAMILTON.

SHIRLEY, near Richmond, 31st Dec., 1794.

DEAR SIR:

Forced to meander on my ride home to close as far as I could the various matters which I considered under my care, I never got to Richmond until the 29th, when Col. Carrington gave to me your favor of the 19th December.

I am sure you understand too well my conviction of your constant efforts to give comfort to the late army with me, to suppose that I could for a moment impute to want of exertion in you any disappointment to which they may have been submitted.

I will not, therefore, recur to that part of your letter which explains the causes of incomplete remittance, for sure I am every possible assistance in every way has been afforded by you. But I will rather try to make you as happy as you ought to be, by telling you that the money sent to Winchester, answered an excellent purpose, as it allayed all the discontents which General Matthews' letter to me announced.

From that place I wrote to the Secretary of War for the balance, and sent forward to the Paymaster-General his deputy, who will, I presume, return charged with means and instructions, unless Mr. Smith may have pursued your orders of drawing bills for the money wanting. In this case the deputy paymaster ought to return.

Mr. Smith had received no instructions to that effect before I left Winchester.

I hear that you certainly leave government in all next month. I lament the event, but heartily wish that it may be productive of every advantage to your family you expect, and that the affectionate gratitude of our country, to whose good you have so constantly and eminently contributed, may surround you in your retirement.

From me reckon always on the most affectionate respect and regard. Farewell.

HENRY LEE.

LEE TO HAMILTON.

SHIRLEY, near Richmond, Jan. 5, 1795.

MY DEAR SIR:

I wrote you the other day in reply to your letter received from Col. Carrington.

The communications from my friend since my return go to tell me that I have become an object of the most virulent enmity of a certain political junto who affect to govern the United States, and who belch their venom on every citizen not subservient to their will. Mr. Marshall says, that my imagination cannot present to me in true colors their invention and circulation of tales to depreciate me.

Thus warned, I am collecting defensive weapons, lest they may overcome by renewing their attack on me unprepared.

One point I wish to draw from you the President's opinion upon, merely for my own satisfaction and information.

He wrote to me as Governor of Virginia to take the field, telling me that I should command the army.

By referring to the Constitution and Law, the President has a right to require the service of the militia, and is ex-officio Commander-in-Chief. The militia law passed by Congress is the law of organization, and does not mention a State Commander-in-Chief, which is the Governor.

It is therefore argued, that the President cannot call on a Governor to take the field.

Further, the President's calling on me as Governor to command the army was not consistent with his prudence; for, if my command lasted only to the short day, which closed my magistracy, then a new commander might have been necessary in a critical moment—a change which wisdom would not permit in the arrangements.

Refer to the Constitution of the United States, and State, and to the Law of the first, then write to me at length, as you know the reasons which swayed the President on the occasion.

Adieu. Yours always.

P. S.—Should the reasoning of the Virginia Assembly be just, the law of Congress ought to be amended, otherwise the command of the army will be filled by the State Government sending into the field the oldest officer, and not by the Chief Magistrate of the Union, who is responsible to the people for the conduct of militia called into the field by his order.

DELANY TO HAMILTON.

PHILADELPHIA, January 12, 1795.

DEAR SIR:

Among that class of your fellow-citizens, who truly lament your intended resignation, we also, as officers of the revenue of this district, beg leave to assure you, we feel it in the most sensible degree.

And if the warmest heartfelt sentiments of your conduct, as a statesman and in your official duties, can be pleasing or useful to your feelings, we in the most explicit sense now offer them.

These sentiments, sir, and opinions, are founded on experience and due consideration in every instance that we know or recognize throughout your whole administration.

We also sincerely hope you will meet in future the just and happy fruits of an upright and virtuous conduct, in the grateful sentiments of a free and enlightened people—for, if such is the portion of an impartial and steady operation in office to insure happiness and security agreeably to the Constitution and Laws, you must certainly meet it. We are with unfeigned esteem and great respect your obedient and most humble servants,

SHARP DELANY, *Collector.*
W. MACPHERSON, *S. Officer.*
WALTER STEWART, *Surveyor.*

EDMUND RANDOLPH TO HAMILTON.

PHILADELPHIA, February 17, 1795.

DEAR SIR:

I had intended to have paid my respects to you this morning; but being deprived of that pleasure by a bad cold, and bad weather, I beg leave to offer to yourself, Mrs. Hamilton and family, my best wishes for your and their happiness; and to assure you of the true esteem and regard with which I am,

Dear Sir,

Your most obedient servant,

EDM. RANDOLPH.

M^CHENRY TO HAMILTON.

NEW BALTIMORE, February 17, 1795.

MY DEAR HAMILTON:

The tempest weathered and landed on the same shore, I may now congratulate you on having established a system of credit, and having conducted the affairs of our country upon principles and reasoning, which ought to insure its immortality, as it undoubtedly will your fame. Few public men have been so eminently fortunate as voluntarily to leave so high a station with so unsullied a character, and so well assured a reputation; and still fewer have so well deserved the gratitude of their country, and the eulogiums of history. Let this console you for past toils and pains, and reconcile you to humbler pleasures and a private life. What remains for you, having insured fame, but to insure felicity? Seek for it in the moderate pursuit of your profession, or, if public life still flatters, in that office most congenial to it; and which will not withdraw you from those literary objects that require no violent waste of spirits, and those little plans that involve gentle exercise, and which you can drop or indulge in without injury to your family.

I shall expect to hear from you as soon as you get fairly settled. Not knowing whether I ought to address to you at Albany or New-York, I have sent this to Mr. Murray, who will forward it, and who I suppose knows. Adieu.

Sincerely and affectionately,

JAMES M'HENRY.

HAMILTON TO SEDGEWICK.

BRISTOL, February 18th, 1795.

MY DEAR SEDGEWICK:

Every moment's reflection increases my chagrin and disgust at the failure of the propositions concerning the unsubscribed debt. I am tortured by the idea that the country should be so completely and unnecessarily dishonored. A day of reckoning must come. I pray you let the yeas and nays separate the *wheat* from the *chaff*. I may otherwise have to feel the distress of wounding a friend by a shaft levelled at an enemy. The case is an extreme one. Managements are every way improper.

Yours affectionately,

A. HAMILTON.

HAMILTON TO KING.

KINGSTON, February 21st, 1795.

MY DEAR KING:

The unnecessary, and capricious, and abominable assassination of the national honor, by the rejection of the propositions respecting the unsubscribed debt, in the House of Representatives, haunts me every step I take, and afflicts me more than I can express. To see the character of the government and the country so sported with—exposed to so indelible a blot—puts

my heart to the torture. Am I, then, more of an American than those who drew their first breath on American ground? Or what is it that thus torments me, at a circumstance so calmly viewed by almost every body else? Am I a fool—a romantic Quixotte—or is there a constitutional defect in the American mind? Were it not for yourself and a few others, I could adopt the reveries of De Paux as substantial truths, and could say with him that there is something in our climate which belittles every animal, human or brute.

I conjure you, my friend, make a vigorous stand for the honor of your country! Rouse all the energies of your mind, and measure swords in the Senate with the great slayer of public faith—the hackneyed veteran in the violation of public engagements. Prevent him, if possible, from triumphing a second time over the prostrate credit and injured interests of his country.* Unmask his false and horrid hypothesis. Display the immense difference between an able statesman and *the man of subtilties.* Root out the distempered and noisome weed which is attempted to be planted in our political garden, to choke and wither, in its infancy, the fair plant of public credit.

I disclose to you, without reserve, the state of my mind. It is discontented and gloomy in the extreme. I consider the cause of good government as having been put to an issue, and the verdict rendered against it.

Introduce, I pray you, into the Senate, when the bill comes up, the clause which has been rejected, freed from embarrassment by the bills of credit, bearing interest on the nominal value. Press its adoption in this the most unexceptionable shape, and let the *yeas and nays* witness the result.

Among the other reasons for this is my wish that the true friends of public credit may be distinguished from its enemies. The question is too great a one not to undergo a thorough examination before the community. It would pain me not to be able to distinguish.

Adieu! God bless you.

* Witness the forty for one scheme—a most unskilful measure, to say the best of it.

P. S. Do me the favor to revise carefully the course of the bill respecting the unsubscribed debt, and let me know the particulars. I wish to be able to judge more particularly of the underplot I suspect.

HAMILTON TO KING.

NEW-YORK, February 26th, 1795.

MY DEAR SIR:

I have received your letter, with the printed bills. The new clause is an additional bad feature; yet, 'tis better the thing should pass as it is than not at all. Every thing should be gained that can be.

So it seems that, under the present administration of the Department, Hillhouse and Goodhue are to be the ministers in the House of Representatives, and Elsworth and Strong in the Senate. Fine work we shall have!

But I swear the nation shall not be dishonored with impunity.

HAMILTON TO WOLCOTT.

ALBANY, April 10th, 1795.

DEAR SIR:

I wrote you a few lines by the last post. I sit down to fulfil my promise then made.

The fulfilment of our foreign engagements, under the existing circumstances, is no doubt a perplexing task. But I hope it will not be found impracticable to effect enough to preserve character and credit.

Every thing must be done to this end, though with considerable sacrifices, provided you do not go so far as to *endanger credit*

at home. This must at all events be kept sound, since a shock there will be fatal, while the extraordinary situation of the times will furnish an apology for any omissions which may happen abroad; and by eventual indemnification, the wounds which may be given to foreign credit may be healed. The opinion which some entertain is altogether a false one, that it is more important to maintain our credit abroad than at home. The latter is far the most important nursery of resources, and consequently far the most important to be inviolably maintained. A failure here would be the more material, because it would argue want of means, and could not shelter itself under the plea of temporary embarrassments from external causes, and because it would derange our whole internal economy.

But, except the compromitting our whole domestic credit, nothing must be left undone to preserve external credit.

I do not doubt that the means which have been taken down to the first of June, inclusively, will be deemed adequate, considering the circumstances. They may, however, fail of the effect intended. But I do not apprehend any material evil from the delay of reimbursing the instalment of principal, if the interest is but punctually and honestly paid. I hope our Commissioners, with the public and their own resources, will effect this, till further provision can be brought into action.

As to sending specie from this country, 'tis out of the question. 'Twould derange every thing; and our Commissioners ought to be frankly told that it is impracticable, *owing to the interruption, by the war, of some of the usual channels through which we have derived our supplies of specie.*

But commodities may be remitted on the public account, and this (the resource of stock failing) must, for aught I see, be done, unless what I shall now mention can be accomplished, with the judgment of our Commissioners in its favor, to wit:

Let *them* enter into an arrangement with the constituted authorities of Holland or France, (preferring the former,) to receive at Amsterdam the sums necessary for paying those which we shall owe, giving drafts upon our Treasury for *equivalent* sums. This will enable the French or Dutch Government to obtain supplies here, which they will want.

But may they, for this purpose, receive and *pay* assignats? Not so, if assignats are not the general currency of the country; but if they are, there may be no choice. Gold and silver may not then be obtainable at all. Perhaps the Commissioners may be able to raise funds by the sale of bills upon this country, otherwise, as many may wish, to remit from the Netherlands.

Yet our creditors must not be paid, without a *reasonable indemnification*, in depreciated paper. Consequently our Commissioners must be authorized, if obliged to pay in assignats, to augment the rate, so as to allow an equivalent.

Accordingly, if the arrangement I have intimated can be effected, the Commissioners may give bills, *florin* for *florin*, of gold or silver (or a dollar for 2½ florins); but if they are obliged to receive assignats, they ought to secure a premium of exchange equal to the depreciation.

This transaction ought to be managed under the superintendence of our Minister.

What I wish you were able immediately to do, is this: To ship, without delay, commodities sufficient, together with the moneys certainly in the command of the Commissioners, independent of sales of stock, to pay *interest* to September inclusively, writing them a letter suggesting the above plan, and authorizing them to act upon it if they approve.

The stock remitted may be ordered to be sold in England, which will furnish a fund upon which you can draw, in order to prosecute other methods of remittance.

At the same time, I think it may be well to take measures for ascertaining whether some arrangement could not be relied upon for remitting through England to Amsterdam. I know of no impediment, even now, to sending bullion (including Spanish and other foreign gold and silver coin) in American bottoms to Amsterdam; but impediments might arise. Perhaps, in this case, London might be made an intermediary of remittances to Holland, either by sales of stock, or commodities there.

The commodities to be remitted ought to be such as to be liable to as little casualty as possible from war considerations; and they ought to be most effectually insured; and ought to

appear authentically as those of the United States, sent to pay their debts on their own account and risk. I suspect, however, the *other plan* will be found practicable on satisfactory principles, but no agreement ought to be for a longer term than a year.

If you are not able to send, immediately, commodities for payment of interest to September, it may then be of necessity to wait further information, giving full latitude, if it has not already been given, to sell stock for payment of interest at any time, suggesting the possibility of doing something through London, and proposing the plan of the arrangement which has been suggested. All the stock not salable in Amsterdam ought to be placed in London, under due precautions for security, to be sold there as a fund.

The co-operation of our minister in Holland will be proper throughout; and pretty large discretions must be confided.

If a very trusty and a clever fellow could go from hence, as agent for the treasury, with alternative instructions according to circumstances, it might be very useful. I believe WILLIAM SMITH of South Carolina would go, and he would be safe and competent. Would not James Watson go? He would also do.

In contemplating a possible course of things, I had my eye upon the expedient of issuing *warrants* upon the treasurer, payable at future periods, from two to twelve months, in nature of Exchequer Bills. This may be a mean of providing for the current service by credit, besides the expedient of loans from the bank. By being negotiable, they may answer the purposes of contractors, though articles may thereby cost something more to the public, than on the plan of anticipated or prompt payment.

I mention this, because I foresee that, from the embarrassment of foreign events, there may be a press upon the treasury.

If any thing further occurs you shall have it. Write me as freely as you please.

Yours, with great regard,

ALEXANDER HAMILTON.

P. S. There is one idea which may deserve attention—a depreciated paper naturally gives to gold and silver an *artificial*

and *exaggerated* value. This may even occasion an undue loss to a debtor who is honorable enough to pay in gold and silver, when a depreciated paper is the general currency. This is more than just. But it may be policy in a government to submit to it. Yet there may be bounds. The idea may be brought into the view of our minister and commissioners for this purpose:— To suggest, that if such an artificial advancement of gold and silver takes place, the compensation for depreciation may be adjusted upon some *equitable ratio*. But a moderate sacrifice, for simplicity of proceeding, may, in this case, be best.

I send a letter to the Attorney-General which you will read, seal, and deliver. You will easily divine my reason for addressing it to him. The President ought to view this matter as it is, but I do not write to him because I do not wish to appear officious.

Have you taken any arrangement at Amsterdam, to facilitate the change of foreign and domestic debt, according to the law of last session? The moment is favorable. Facilities on the spot may promote the object. Our commissioners and our minister are worthy of trust.

KING TO HAMILTON.

Misdated should be

[Monday Morning, 17th April, 1795.

In general I agree in the course you recommend. Separate bills will be reported to the House this morning, providing for the Spanish, Indian, and Algerine treaties. They will pass the House, and be sent to the Senate in the middle of the week. I perceive no impropriety in adding to the first of these bills, received by the Senate, and in succession to each of them, if requisite, a provision for the British treaty. Such amendment, if received in the House before they take a question, it is believed, would have influence.

The merchants and traders' petition is signed with unex-

ampled unanimity. Baltimore has prepared a similar petition, which will be very generally signed. General Smith, who is now here, writes that the treaty has gained many friends, that they are next to unanimous in favor of its execution; that Annapolis is likewise unanimous, and that he thinks that nine-tenths of the State are for carrying it into effect. He adds that a memorial has been drawn up and signed by the most of the respectable people of Baltimore approving the President's conduct in refusing the papers, that he thinks a counter memorial could be obtained, but that he has discouraged it, seeing the necessity of unanimity at the present crisis. He returns to-morrow or next day, and will be zealous for the execution of the treaty.

Van Cortland will leave this place on Wednesday. Would it not be well to prepare a reception for him which may return him in favor of the treaty? His friends may be induced to act upon his mind, which balances, so as to decide it.

Adieu,

R. KING.

GORE TO HAMILTON.

BOSTON, 20th April, 1795.

MY DEAR SIR:

I have hitherto delayed answering the letter you did me the honor to write under date 28th February, in hopes of being able to obtain such information on the subject as would be agreeable to you, and afford a reasonable expectation of an adoption, by the government, of your propositions respecting the unsubscribed debt. But I am sorely mortified to find that many, from whom you had a right to expect sound principles, and honest politics, are crooked and perverse, and, I fear, obstinately so on the subject of public credit. They do not view the system as appealing to the option of the creditors, but to their necessities, —and mortification at having assented to terms which they think not quite so good as those proposed in your plan to the non-

subscribers, is sufficient to induce the decided and warm opposition of some who have attained, over many, an influence which is due only to the union of great talents and sound principles.

From conversing with influential men, in the district represented by Mr. Goodhue, I believe he might be induced to withdraw his opposition—probably a fear of blame from some, for having advised their compliance with the existing system, has caused a part of his opposition; or if it arises from other causes, it might cease on his being convinced that respectable men in his district were dissatisfied with his conduct, in this particular.

But the men who in this part of the country could influence Mr. Strong, are of the class I mentioned in the former part of this letter.

I feel deep regret at being obliged to communicate to you such a character of our citizens; and shall be very happy to attempt any thing that may be considered likely to produce a more just way of thinking, and save our government from the imputation which necessarily results from the rejection of your propositions; but I fear a sense of honor, as respects the credit of the nation, too weak, and prejudices too deep, to admit of any alteration.

I am, my dear Sir, very respectfully your sincere friend,

C. GORE.

HAMILTON TO KING.

April 24th, 1795.

DEAR SIR:

I return you a certain draft, with a little substitute for the close of it proposed by Mr. J—— with an eye to your suggestion.

Our petition went yesterday by express. It had more than 3,200 signers, which is within about 300 of the highest poll we ever had in this city *on both sides*, at the most controverted election. Nothing can more clearly demonstrate our unanimity, and

I feel no doubt of equal or greater unanimity throughout the State.

The meeting-men have not dared to publish the names of the committee, because it impudently contained a considerable proportion of persons hostile to its object, several of them actually on our petition. You see by this their embarrassment and their weakness.

Yours,

ALEXANDER HAMILTON.

VARICK TO HAMILTON.

April 30th, 1795.

DEAR SIR:

I have the pleasure of inclosing to you a certificate from the Mayor and Aldermen of this, admitting you to the freedom of this city, as their testimonial and that of the Corporation of this city of their opinion of your merit and distinguished services in the cause of your country.

This testimonial has remained in my hands some weeks, to be forwarded by the Patroon, but he left us unexpectedly. Afterwards General Schuyler promised to dine with me, and I expected to send it by him, but he also left us suddenly. I now embrace the favorable opportunity by Mr. Henry, of conveying it to you, with my best wishes for your happiness, being with sincere esteem and respect.

HAMILTON TO THE PRESIDENT.

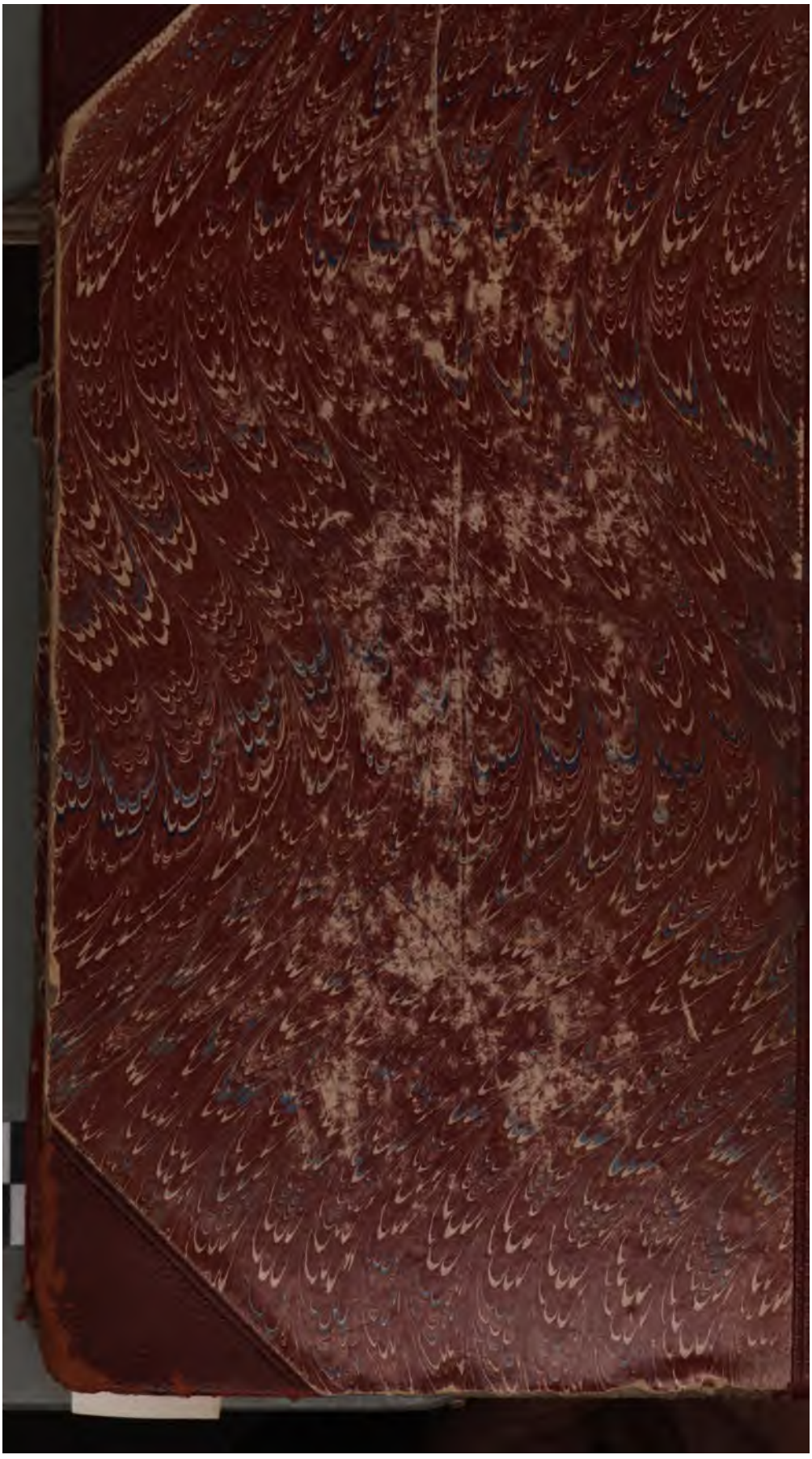
May 5th, 1795.

The letter of which the inclosed is a copy, contains such extraordinary matter that I could not hesitate to send it to you.

The writer is Mr. G. M——. I trust the information it conveys cannot be true, yet in these wild times every thing is possible. Your official information may serve as a comment.

Very respectfully and affectionately, I have the honor to be, Sir, your obedient servant,

A. HAMILTON.

MY DEAR HAMILTON:

I have just now written to the President, to communicate some intelligence lately received from Paris. This I have done in abstract; but my correspondent has written to me as follows:—"The government here are highly displeased with ours—you may easily guess the reason. It has come to a very serious pitch. A fleet is to be sent to our shore with a new minister. A definitive answer must be given in 15 days. The government are to declare to us within a few days, that our treaty with them is annulled. This will place Mr. Munroe in a cruel dilemma. He is already much displeased, and a war will probably be the consequence. The British will be glad of this. Perhaps we may have here a revolution from the industry of the Jacobins. The finances are worse than ever. They cannot stand much longer." This letter is dated Paris, the 15th of last month. You may be sure, by my communicating it to you, that I have confidence in the source. I have barely stated to the President the intention as to a new minister. To you I will declare my conviction, that this government cannot stand, whether the monarchy be restored or not. The adherence to the royal cause grows daily more numerous. If I knew decidedly the steps to be taken in aid of them, I could tell you almost with certainty whether they would be successful or not; for the state of that country now presents sufficient data on which to reason soundly. I need not say to you, that if the French rulers persist in the measures which are above mentioned, America will be obliged to take part in the war. On a former occasion, when they talked somewhat highly, I told them that they would certainly force us into the contest, but as certainly it would be against them, let the predilections in their favor be ever so great, because it would be madness in us to risk our commerce against the navy of the world. That to join them would do them no good, and would do us much evil. *That* time they believed me. What representations Mr. Munroe will make I cannot pretend to divine, and much less the effect of them. Supposing, however, that you should be driven to make the election, you will naturally weigh not only the naval force, but also the financial resources of the opposed powers. The noisy folks with you will undoubtedly be loud on our obligations to France, and on our long list of grievances from England. As to the former, I think we should always seek to perform acts of kindness towards those who, at the bidding of their prince, stept forward to fight our battles. But would it be kind to support that power